

35th G. A.

I328.373

I29bs Illinois. General Assembly. Senate.

Bills: proposed legislation introduced in the Senate. 35th General Assembly, January-May 1887, Bill no. 1-426.

Each bill carries a short synopsis and credits the legislators introducing it.

Senate resolutions are at end of bills.

Sequential numbers assigned at time of filing. Numbering begins anew with each biennium.

Following Senate Bills are missing:

14-15	132-133	229	330-337
20-21	136-137	231-234	339
23	140	237	345-346
26	144	239	348-349
30-31	147	242-243	351-353
33	153	250	361
40	156-157	252	367
59-60	159-160	256-257	372
63	163-164	259-261	376
66	172-173	271	379
72	178	273	383-384
77-83	181-185	276	387-388
89-90	190-191	278-279	390
93	195	281-283	392
97	197	293	399-400
105	199-200	297	406
107	203	300-301	408
109	205	306-307	411-412
113	211	313	414-415
115-116	213	320-321	420
120	218	324-325	424
125-128	220	329	
130	223-225	332	

32nd P. A.

1. Introduced by Mr. Cochran, January 5, 1887, and ordered to first reading.
2. First reading January 5, 1887, and referred to Committee on Judiciary.
3. Reported back with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections four (4) and five (5) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections four (4) and five (5) of an act
3 entitled "An act to revise the law in relation to mortgages of real and
4 personal property," approved March 26, 1874, in force July 1, 1874, be and
5 the same is hereby amended to read as follows:

6 "Section 4. Such mortgages, trust deeds or other conveyance of personal
7 property, acknowledged as provided in this act, shall be admitted to record
8 by the recorder of the county in which the mortgagor shall reside at the
9 time when the instrument is executed and recorded, or in case the mort-
10 gator is not a resident of this State, then in the county where the
11 property is situated and kept, and shall thereupon, if *bona fide*, be good
12 and valid from the time it is filed for record until the maturity of the
13 entire debt or obligation: *Provided*, such time shall not exceed two years,
14 unless within thirty days next preceding the expiration of the two years,
15 the mortgagee, his agent or attorney, shall make and annex to the instru-
16 ment or mortgage or file an affidavit, setting forth particularly the interest
17 which the mortgagee has, by virtue of such mortgage, in the property
18 therein mentioned and if such mortgage is for the payment of money, the

19 amount remaining due and unpaid therein, and the time for which the said
 20 mortgage is extended, which said extension shall not exceed a further term
 21 of two years, upon which affidavit the clerk shall indorse the time when
 22 the same was filed, and the said mortgagee shall also, within the said
 23 preceding thirty days, file a certified copy of said affidavits with the justice
 24 of the peace before whom said mortgage was acknowledged, or his successor
 25 in office."

26 "Section 5. A copy of any such mortgage or other instrument, acknowl-
 27 edged, filed and recorded as aforesaid, including any affidavits annexed
 28 thereto, in pursuance of this chapter, certified by the proper recorder, from
 29 the records thereof, and also any copies of such affidavits filed with the
 30 justice of the peace before whom such mortgage or other instrument was
 31 acknowledged, or his successor in office, in pursuance of this chapter, may
 32 be read in evidence in like cases, and upon the same conditions as copies
 33 of deeds and conveyances of lands, so certified."

AMENDMENT TO SENATE BILL NO. 1.

First—By striking out the words "expiration of the two years" in third
 2 line from the bottom, on page one (1), and inserting the words "maturity
 3 of the note or obligation for which such instrument or mortgage is given
 4 to secure."

5 *Second*—After the word "the" and before the word mortgage, in third
 6 line from the bottom on page one (1) insert the words "mortgagor and"
 7 and after the word "his" and before the word "agent" on same line,
 8 insert the words "or their".

9 *Third*—Strike out the words "make and annex to the instrument or
 10 mortgagors" on the last and next preceding line on first page, and after
 11 the word "file" on said last line, insert the words "for record".

12 *Fourth*—Add to the end of section four (4) the following words "and
 13 thereupon [the mortgage lien originally acquired shall be continued and
 14 extended for and during the term of such extension."

1. Introduced by Mr. Cochran, January 5, 1887, and ordered to first reading.
2. First reading January 5, 1887, and referred to Committee on Judiciary.
3. Reported back with amendments, passage recommended, and ordered to second reading.
4. Second reading February 24, 1887, amended and ordered to third reading.

A BILL

For An Act to amend sections four (4) and five (5) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That sections four (4) and five (5) of an act
3 entitled "An act to revise the law in relation to mortgages of real and
4 personal property," approved March 26, 1874, in force July 1, 1874, be and
5 the same is hereby amended to read as follows:
6 "Section 4. Such mortgage, trust deeds or other conveyance of personal
7 property, acknowledged as provided in this act, shall be admitted to record
8 by the recorder of the county in which the mortgagor shall reside at the
9 time when the instrument is executed and recorded, or in case the mort-
10 gator is not a resident of this State, then in the county where the
11 property is situated and kept, and shall thereupon, *bona fide*, be good
12 and valid from the time it is filed for record until the maturity of the
13 entire debt or obligation. *Provided*, such time shall not exceed two years,
14 unless within thirty days next preceding the maturity of the note or ob-
15 ligation for which such instrument or mortgage is given to secure, the
16 mortgagor and mortgagee, his or their agent or attorney, shall file for record
17 an affidavit, setting forth particularly the interest which the mortgagee has,

18 by virtue of such mortgage, in the property therein mentioned, and if such
19 mortgage is for the payment of money, the amount remaining due and unpaid
20 therein, and the time for which the said mortgage is extended, which said
21 extension shall not exceed a further term of two years, upon which affidavit
22 the clerk shall indorse the time when the same was filed, and the said mort-
23 gagee shall also, within the said preceding thirty days, file a certified copy of
24 said affidavits with the justice of the peace before whom said mortgage was
25 acknowledged, or his successor in office, and thereupon the mortgage lien
26 originally acquired shall be continued and extended for and during the time
27 of such extension."

28 "Section 5. A copy of any such mortgage or other instrument, acknowl-
29 edged, filed and recorded as aforesaid, including any affidavits annexed thereto,
30 in pursuance of this chapter, certified by the proper recorder, from the records
31 thereof, and also any copies of such affidavits filed with the justice of the
32 peace before whom such mortgage or other instrument was acknowledged, or
33 his successor in office, in pursuance of this chapter, may be read in evidence
34 in like cases, and upon the same conditions as copies of deeds and convey-
35 ances of lands, so certified."

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading April 1, 1887, and referred to Committee on Finance.
3. Reported back May 12, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections four (4), six (6), and eight (8), of an act entitled
"An act to revise the law in relation to the rate of interest, and to repeal
certain acts therein named," approved May 24, 1879, in force July 1,
1879.

SECTION 1. *Be it enacted by the People of the State of Illinois; represented*

2 *in the General Assembly,* That section four (4), six (6), and eight (8) of an
3 act entitled "An act to revise the law in relation to the rate of interest,
4 and to repeal certain acts therein named," approved May 24, 1879, in force
5 July 1, 1879, be and the same are hereby so amended as to read as follows:
6 "Section 4. In all written contracts it shall be lawful for the parties to
7 stipulate or agree that seven (7) per cent. per annum, or any less sum of
8 interest shall be taken and paid upon every one hundred dollars (\$100.00)
9 of money loaned, or in any manner due and owing from any person or cor-
10 poration, to any other person or corporation in this State, and after that
11 rate for a greater or less sum or for a longer or shorter time, except as herein
12 provided."

13 "Section 6. If any person or corporation in this State shall contract to
14 receive a greater rate of interest or discount than seven per cent. upon
15 any contract, verbal or written, such person or corporation shall forfeit the
16 whole of said interest so contracted to be received, and shall be entitled only

17 to recover the principal sum due to such person or corporation, and all
18 contracts executed after this act shall take effect, which shall provide for
19 interest or compensation at a greater rate than herein specified, on account
20 of non-payment at maturity, shall be deemed usurious, and only the principal
21 sum due thereon shall be recoverable."

22 "Section 8. When any written contract, wherever payable, shall be made
23 in this State, or between citizens or corporations of this State, or a citizen
24 or corporation of this State and a citizen or corporation of any other State,
25 territory or country, (or shall be secured by mortgage or trust deed on
26 lands in this State,) such contract may bear any rate of interest allowed by
27 law to be taken or contracted for by persons or corporations in this State, or
28 which is or may be allowed by law on any contract for money due or
29 owing in this State: *Provided, however, that* such rate of interest shall not
30 exceed seven per cent. per annum, and if any such person or corporation
31 shall contract to receive a greater rate of interest or discount than seven (7)
32 per cent. upon any such contract, such person or corporation shall forfeit the
33 whole of said interest so contracted to be received, and shall be entitled only
34 to recover the principal sum due to such person or corporation."

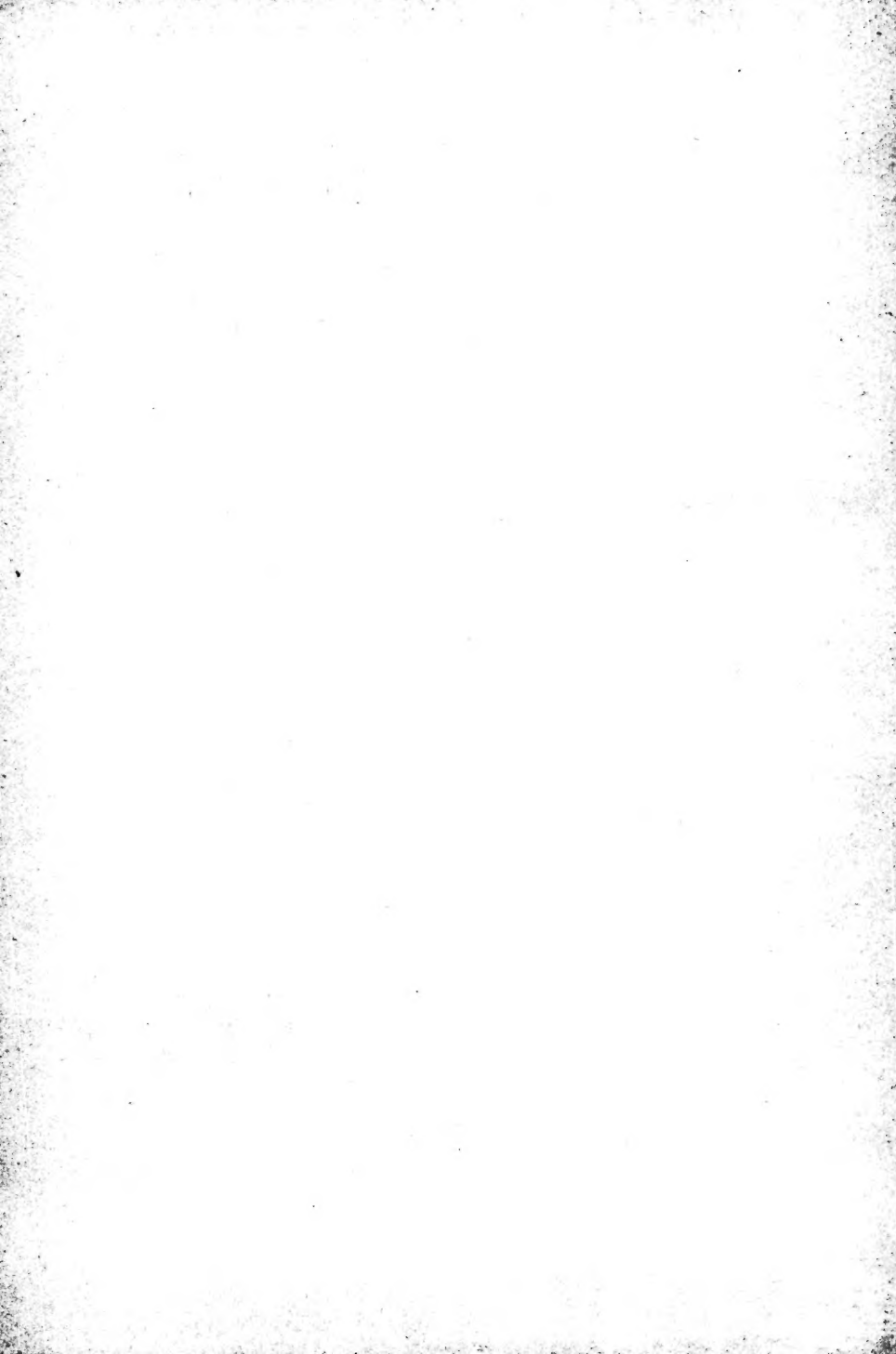
SENATE AMENDMENTS TO HOUSE BILL No. 1.

Amend section 4 by striking out the word "seven (7)" after the word "that"
2 in third line and insert "eight (8)" in lieu thereof.

3 Strike out section 6, and insert the following in lieu thereof: "That who-
4 ever shall receive or contract to receive any greater rate of interest or dis-
5 count than is allowed by law for the loan, use or forbearance of any sum of
6 money due and payable by any contract, verbal or written, shall be deemed
7 guilty of a misdemeanor, and shall be punished for each offense by a fine of
8 not less than ten dollars nor more than two hundred dollars, and shall also
9 forfeit all claims to interest upon such contract, and if the same has been

10 paid, the party paying shall be entitled to recover the same back by any
11 appropriate action in any court of competent jurisdiction."

12 Amend section 8 by striking out the word "seven (7)," in line 16, and
13 insert "eight (8)," in lieu thereof. Also strike out the word "seven (7)," in
14 line 19, and insert "eight (8)," in lieu thereof.



1. Received from House February 2, 1887, and ordered to first reading.
2. First reading February 3, 1887, and ordered to second reading.

A BILL

For An Act to provide for the incidental expenses of the Thirty-fifth General Assembly, and for the care and custody of the State House and grounds, incurred or to be incurred, and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the sum of fifteen thousand dollars (\$15,000),*
3 *or so much thereof as may be required, is hereby appropriated to pay the*
4 *incidental expenses of the Thirty-fifth General Assembly, or either branch*
5 *thereof, or by the Secretary of State in the discharge of the duties imposed*
6 *on him by law, or by the direction of the General Assembly, or either branch*
7 *thereof. All expenditures to be certified to by the Secretary of State and*
8 *approved by the Governor.*

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrants upon the State Treasurer for the sums herein specified,
3 upon presentation of the proper vouchers, and the State Treasurer shall pay
4 the same out of any funds in the State Treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the
2 expenses incurred, or to be incurred, for the transaction of the business of
3 the State and the General Assembly, therefore an emergency exists, and
4 this act shall take effect from and after its passage.



1. Introduced by Mr. Bell, January 6, 1887, and ordered to first reading.
2. First reading January 6, 1887, and referred to Committee on Labor and Manufactures.
3. Rules suspended January 12, 1887, and ordered to second reading and to be printed.

A BILL

For An Act to provide for the Incorporation of Co-operative Associations for Pecuniary Profit.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any number of persons not less than three nor more than seven, may desire to become incorporated as a Co-operative Association for the purpose of prosecuting any branch of industry, they shall make a statement to that effect under their hands and seals, duly acknowledged before some officer in the manner provided for the acknowledgment of deeds, setting forth the name of the proposed corporation, its capital stock, its location, and duration of the association, and the particular branch of industry which they intend to prosecute, which statement shall be filed in the office of the Secretary of State. The Secretary of State shall thereupon issue to such persons a license as commissioners, to open books for subscription to the capital stock of such association, at such time and place as they may determine. No license shall be issued to two associations of the same name. The name of the city, village or town in which the association may be located shall form no part of the name.

§ 2. No person shall be permitted to subscribe more nor less than one share to the capital stock of such association, nor shall any person be permitted in any manner to own or control more or less than one share in such association.

§ 3. As soon as ten shares or more of the capital stock shall be subscribed, the commissioners shall convene a meeting of the subscribers for the purpose of electing directors, adopting by-laws and transacting such other business as shall properly come before them. Notice thereof shall be given by depositing in the postoffice properly addressed to each subscriber, at least ten days before the time fixed, a written or printed notice, stating the object, time and place of such meeting. Directors of associations organized under this act shall be elected, classified and hold their office for such period of time as is provided by general law governing the election and classification of directors, trustees or managers of corporations.

§ 4. The commissioners shall make a full report of their proceedings, including therein a copy of the notice provided for in the foregoing section, a copy of the subscription list, a copy of the by-laws adopted by the association, and the names of the directors elected and their respective terms of office, which report shall be sworn to by at least a majority of the commissioners, and shall be filed in the office of the Secretary of State. The Secretary shall thereupon issue a certificate of the complete organization of the associations, making a part thereof a copy of all papers filed in his office in and about the organization of the corporation, and duly authenticated under his hand and seal of State; and the same shall be recorded in the office of the recorder of deeds in the county in which the principal office of such association is located. Upon the recording of said copy the association shall be deemed fully organized and may proceed to business. Unless such association shall be organized, and shall proceed to business within three years after the date of such license, the license to form such association shall be deemed revoked, and all proceedings thereunder shall be void.

§ 5. Associations formed under this act shall be bodies corporate and politic for the period for which they are organized, may sue and be sued, may have a common seal which they may alter or renew at pleasure; may own, possess and enjoy so much real and personal estate as shall be necessary for the transaction of their business, and may sell and dispose of the same

6 when, in the opinion of the shareholders, it is not required for the uses of
7 the association. They may borrow money at legal rates of interest, and
8 pledge their property, both real and personal, to secure payment thereof,
9 and may have and exercise all powers necessary and requisite to carry into
10 effect the objects for which they may be formed.

§ 6. The corporate powers shall be exercised by a board of directors,
2 the number of which shall be fixed by the by-laws of the association,
3 but the number may be increased or diminished by a majority of the
4 shareholders at any properly called meeting. The officers of the associa-
5 tion shall consist of a president, vice-president, secretary and treasurer,
6 to be elected by the shareholders at their annual meetings as may be
7 provided for in the by-laws of the association; may determine who
8 shall be elected at some regular meeting of the shareholders, as may be
9 by by-law provided. All by-laws of the association shall be adopted by
10 the shareholders of the association.

§ 7. No officer or director shall receive any compensation for his services
• 2 except such as may be provided for in the by-laws of the association.
3 It shall be the duty of the secretary to be present at all meetings of the
4 directors, and meetings of the shareholders, and faithfully make and
5 preserve a record of all the proceedings of such meetings, which record
6 shall be kept in a suitable place accessible to the inspection of any share-
7 holder. He shall be the book-keeper of the association, shall keep the
8 accounts between the association and the individual shareholders, officers
9 and agents thereof, and between the association and all parties with whom
10 it may transact business, and such other duties as may be imposed upon
11 him by the by-laws of the association.

§ 8. The shares of stock shall not be less than \$50 nor more than \$2,000
2 per share, and subscriptions therefor shall be made payable to the association,
3 and installments and at such time or times as shall be determined by
4 the shareholders, and an action may be maintained in the name of the
5 association to recover any installment which shall remain due and unpaid
6 for the period of thirty days after personal demand therefor; or, in cases

7 where personal demand is not made, within thirty days after a written
 8 or printed notice has been deposited in the postoffice, properly directed
 9 to the postoffice address of the shareholder. The association may by
 10 by-law prescribe other penalties for a failure to pay the installments that
 11 may from time to time become due, but no penalty working forfeiture
 12 of stock, or the amount paid thereon, shall be declared against any
 13 shareholder until the personal demand or written or printed notice above
 14 provided for shall have been made. Whenever a share of stock shall be
 15 forfeited such share shall then become the property of the association
 16 and may be re-issued to any person not already holding a share. But
 17 any proceeds received from such re-issue, over and above the amount due
 18 on said share, by the association, shall be paid to the delinquent
 19 shareholder.

§ 9. No share of stock shall be liable to execution, writ of attachment
 2 or distress, for rent, for any of the individual debts of the owner of such
 3 share, nor shall any shareholder be permitted to pledge his share as
 4 security for any debt or obligation that may be due from such shareholder
 5 to any person, but such shareholder may pledge not to exceed at any
 6 one time sixty days of his dividends to any creditor, provided the fact
 7 of such pledge shall be first noted upon the books of the association.

§ 10. Every assignment or transfer of stock on which there remains
 2 any portion unpaid shall be recorded on the books of the association.
 3 and each shareholder shall be liable jointly with the association as well
 4 as severally for the debts of the association to the extent of the amount
 5 that may be unpaid upon the share held by him. No assignor of a share
 6 shall be released from any such indebtedness by reason of any assignment
 7 of his share, but shall remain liable therefor jointly with the assignee
 8 and the association, or severally, until the stock is fully paid up. Every
 9 assignee of a share shall be liable for the amount unpaid thereon, the
 10 same as if he had been an original shareholder. No assignment shall be
 11 made to any person who already holds a share. No assignee or transferee
 12 of stock shall have any equitable or legal title in the same; or have the

13 right to vote at any shareholders' meeting until such assignment or
14 transfer shall be recorded as above provided for.

§ 11. All dividends of profits made by any association incorporated under
2 this act, shall be made in proportion to the amount of work performed, or
3 product produced by each shareholder, and the association shall decide by by-
4 law whether each shareholder's work or product shall be measured by the
5 piece, or by the day or hour, or may classify the work, and measure
6 some by the piece, some by the day, and some by the hour as the exi-
7 gencies of the case may demand. The association shall also provide by
8 by-law how different kinds of piece-work shall be rated, and how piece-
9 work shall be rated with day or hour work; shall provide how and by
10 whom all kinds of work shall be received as properly executed from the
11 shareholders for the association; shall provide the manner of giving out
12 material to the different shareholders with which to work, and as to what
13 positions or locations shall be assigned to each shareholder and by whom.
14 Should any shareholder be dissatisfied with the decision upon his work,
15 or with the material given him, or the position or location assigned him,
16 he may appeal to the association at some regular meeting of the share-
17 holders, whose decision shall be final. The association may provide by
18 by-law how such appeal may be conducted. If in any kind of industry
19 it should be impossible to assign all shareholders to equally advantageous
20 positions or locations in work, the association may provide that share-
21 holders shall periodically change places, or provide any method of equal-
22 izing such matters in accordance with justice and equity.

§ 12. It shall be unlawful for the association to hire any person to
2 engage in the principal business for which the association was organized
3 to prosecute, it being the intent of this act that such labor shall be per-
4 formed by shareholders of the association to preserve the co-operative
5 feature. It shall be lawful for any shareholder, in case he shall be de-
6 tained from work by sickness of self or family, or very urgent business,
7 to employ and furnish a competent substitute to perform such labor as
8 would be assigned to the absent shareholder; and in such case the div-

9 idends shall be made to such shareholder the same as if he was present
10 performing his labor himself. The association shall not be liable in any
11 manner for the pay of such substitute.

§ 13. Whenever any householder may die, his share shall become a personal
2 asset of his estate, and may be sold by his legal representative to any person,
3 or may be awarded as a dividend of the estate to any person competent to
4 work the share, or to any devotee or legatee competent to work the share, not
5 already a shareholder, and the same may be assigned or transferred in the same
6 manner, and subject to the same regulations prescribed in section 10 of this
7 act. Such legal representative shall have the right to furnish a competent
8 substitute to work the share of such deceased person for the space of
9 two years after the death of the deceased, unless the same shall have been
10 sooner sold, or awarded as an estate dividend, or devise or legacy, as this
11 section provides, and during the time such substitute may be furnished, such
12 legal representative, for the use of the estate, shall be entitled to vote,
13 receive dividends and shall inure to all the benefits to which the deceased
14 if living and working his share would have been entitled. Whenever such
15 share shall become a part of the widow's allowance in the course of the
16 administration of the estate of any deceased shareholder, she may furnish
17 a competent substitute to work such share, and shall be entitled to all
18 privileges, dividends, etc., to which her husband would have been entitled,
19 so long as he may desire to hold such share. She shall also have the
20 privilege to sell the same whenever she may desire under the provisions
21 of section 10 of this act.

§ 14. Any association licensed to operate under this act may increase
2 its membership of shareholders in such manner as it may by by-law provide
3 not inconsistent with any of the provisions of this act.

§ 15. The General Assembly hereby reserve the power to prescribe such
2 regulations and provisions governing any and all associations incorporated
3 under this act as it may deem advisable, such regulations and provisions
4 to be binding on associations incorporated at the time such regulations
5 may be made as well as those thereafter incorporated.

§ 16. All associations organized under this act, whose powers may have
 2 expired by limitation or otherwise, shall continue their corporate capacity
 3 during the term of two years for the purpose only of collecting debts due
 4 the association, and selling and conveying the property and effects thereof,
 5 and during such time shall be capable of prosecuting and defending suits
 6 in law or equity. The dissolution for any cause whatever, of any association
 7 incorporated under this act, shall not take away or impair any remedy
 8 given against such association, its shareholders, officers, or agents, for any
 9 liabilities incurred previous to dissolution.

§ 17. It shall be the duty of the directors of any association to cause
 2 to be kept at its principal office, or place of business, in this State,
 3 correct books of account of all its business, and every shareholder of such
 4 association shall have the right at all reasonable times by himself or his
 5 attorney, to examine the records and books of account of the association.

§ 18. A failure to elect directors or officers, or both, on the day
 2 designated in the by-laws, or on the day for which notice was given for
 3 election, shall not have the effect of dissolving the association, but such
 4 election may be held at any time after proper notice.

§ 19. All assessments or installments of the unpaid or partly unpaid
 2 shares of stock of any association shall be levied by the directors in
 3 accordance with the provisions of the by-laws, but any assessment or
 4 installment required to be paid shall be levied pro rata upon all the shares
 5 of stock.

§ 20. If the indebtedness of any association shall exceed the amount of
 2 its capital stock, the directors and officers of such association assenting
 3 thereto shall be individually liable for such access to the creditors of such
 4 association.

§ 21. If the directors or officers or agents of any association shall declare
 2 and pay any dividend, when such association is insolvent, or any dividend, the
 3 payment of which would diminish the amount of capital stock, all directors,
 4 officers and agents assenting thereto shall be jointly and severally liable for all

5 debts of such association then in existence and for all which shall thereafter
6 be contracted, while they shall respectively continue in office.

§ 22. The board of directors shall hold stated meetings not less frequent
2 than once each month, as may be provided by the by-laws, and when
3 such officers shall be present at any meeting, however called or notified,
4 or shall sign a written consent on the records of such meeting, the acts
5 of such meeting shall be as valid as if legally called and notified. All
6 directors' meetings must be held within the limits of this state.

§ 23. The shareholders of every association shall hold regular meetings
2 not less frequently than once each month, as may be provided by the
3 by-laws, and shall be presided over by president of the association, or
4 in his absence the vice-president shall preside, and in his absence, the
5 meeting may elect a president *pro tempore*, who shall preside during that
6 meeting. It shall require a majority of all the shareholders entitled to
7 vote, to be present, either in person or by written proxy, to constitute a
8 quorum to transact business, but a smaller number may adjourn from time
9 to time if they desire, or until the next regular meeting.

§ 24. No by-law shall be adopted, amended or repealed, except by an
2 affirmative vote of a majority of all the shareholders entitled to vote.
3 Such vote shall be taken by a call of the roll of shareholders by the
4 secretary of the meeting, noting the responses whether aye or no,
5 opposite their respective names, and which vote shall be spread upon the
6 records of the proceedings. Votes upon other questions may be *viva voce*,
7 showing of hands, or a division of the house, unless three shareholders by
8 themselves or proxy shall call for the ayes and noes, when in such case the roll
9 shall be called, and the aye and no vote taken. If in calling the roll
10 upon any question, less than a quorum votes, the pending question shall
11 still remain as undecided until a quorum shall vote on the question. Any
12 proposition to amend, repeal or enact any by-law must set forth the by-law
13 as amended, or the one repealed, or the new one proposed, and be read at
14 large in open meeting, and its consideration postponed until the next

15 meeting, unless a majority of all the shareholders of the association shall, on
 16 an aye and no vote, be in favor of considering the question at once.

§ 25. If any association or its authorized agents shall do or refrain
 2 from doing any act which shall subject it to a forfeiture of its charter
 3 or corporate powers, or shall allow any execution or decree of any court
 4 of record for a payment of money after demand made by the officer, to
 5 be returned, "no property found," or to remain unsatisfied thirty days
 6 after such demand, or shall dissolve or cease doing business, leaving debts
 7 unpaid, suits in equity may be brought against all persons who were
 8 shareholders at the time, and liable in any way, for the debts of the
 9 association by joining the corporation of such suit, and after the assets
 10 of the corporation shall have been exhausted, each shareholder may be
 11 required to pay the *pro rata* share of such debts to the amount of his
 12 unpaid stock, or to any extent to which he may by law have become
 13 individually liable.

§ 26. Courts of equity shall have full power, on good cause shown, to
 2 dissolve or close up, or take charge of the business of any association
 3 for the benefit of the creditors, to appoint a receiver therefor who shall
 4 have authority, by the name of the receiver of such association, giving
 5 his name to sue in all courts, and do all things necessary to close up
 6 its affairs, or to make the moneys charged against it and return it back
 7 to the shareholders of the association, as may be commanded by the
 8 decree of courts. Said receiver shall be a citizen of the State of Illinois,
 9 and shall enter into bonds, payable to the people of the State of Illinois,
 10 for the use of all parties interested, in such penalty and with such sureties
 11 as the court may, in the decree or order appointing the same, require.

§ 27. The certified copy of any articles of incorporation and changes
 2 thereon, under the great seal of the State of Illinois, shall be taken and
 3 received in all courts and places as *prima facie* evidence of the facts
 4 themselves.

1. Introduced by Mr. Bell, January 6, 1887, and ordered to first reading.
2. First reading January 6, 1887, and referred to Committee on Labor and Manufactures.
3. Rules suspended January 12, 1887, and ordered to be printed.
4. Reported back February 4, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the Incorporation of Co-operative Associations for Pecuniary Profit.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *the General Assembly,* That whenever any number of persons not less than
3 three nor more than seven, may desire to become incorporated as a Co-opera-
4 tive Association for the purpose of prosecuting any branch of industry, they
5 shall make a statement to that effect under their hands and seals, duly
6 acknowledged before some officer in the manner provided for the acknowledge-
7 ment of deeds, setting forth the name of the proposed corporation, its capital
8 stock, its location, and duration of the association, and the particular branch
9 of industry which they intend to prosecute, which statement shall be filed
10 in the office of the Secretary of State. The Secretary of State shall thereupon
11 issue to such persons a license as commissioners, to open books for
12 subscription to the capital stock of such association, at such time and
13 place as they may determine. No license shall be issued to two associa-
14 tions of the same name. The name of the city, village or town in
15 which the association may be located shall form no part of the name.

§ 2. No person shall be permitted to subscribe more nor less than one
2 share to the capital stock of such association, nor shall any person be
3 permitted in any manner to own or control more or less than one share
4 in such association.

§ 3. As soon as ten shares or more of the capital stock shall be subscribed, the commissioners shall convene a meeting of the subscribers for the purpose of electing directors, adopting by-laws and transacting such other business as shall properly come before them. Notice thereof shall be given by depositing in the postoffice, properly addressed to each subscriber, at least ten days before the time fixed, a written or printed notice, stating the object, time and place of such meeting. Directors of associations organized under this act shall be elected, classified and hold their office for such period of time as is provided by general law governing the election and classification of directors, trustees or managers of corporations.

§ 4. The commissioners shall make a full report of their proceedings, including therein a copy of the notice provided for in the foregoing section, a copy of the subscription list, a copy of the by-laws adopted by the association, and the names of the directors elected and their respective terms of office, which report shall be sworn to by at least a majority of the commissioners, and shall be filed in the office of the Secretary of State. The Secretary shall thereupon issue a certificate of the complete organization of the associations, making a part thereof a copy of all papers filed in his office in and about the organization of the corporation, and duly authenticated under his hand and seal of State; and the same shall be recorded in the office of the recorder of deeds in the county in which the principal office of such association is located. Upon the recording of said copy the association shall be deemed fully organized and may proceed to business. Unless such association shall be organized, and shall proceed to business within three years after the date of such license, the license to form such association shall be deemed revoked, and all proceedings thereunder shall be void.

§ 5. Associations formed under this act shall be bodies corporate and politic for the period for which they are organized, may sue and be sued, may have a common seal which they may alter or renew at pleasure; may own, possess and enjoy so much real and personal estate as shall be necessary for the transaction of their business, and may sell and dispose of the same

6 when, in the opinion of the shareholders, it is not required for the uses of
7 the association. They may borrow money at legal rates of interest, and
8 pledge their property, both real and personal, to secure payment thereof,
9 and may have and exercise all powers necessary and requisite to carry into
10 effect the objects for which they may be formed.

§ 6. The corporate powers shall be exercised by a board of directors,
2 the number of which shall be fixed by the by-laws of the association,
3 but the number may be increased or diminished by a majority of the
4 shareholders at any properly called meeting. The officers of the associa-
5 tion shall consist of a president, vice-president, secretary and treasurer,
6 to be elected by the shareholders at their annual meetings as may be
7 provided for in the by-laws of the association; who shall be elected
8 at some regular meeting of the shareholders, as may be by by-law provided.
9 All by-laws of the association shall be adopted by the shareholders of the
10 association.

§ 7. No officer or director shall receive any compensation for his services
2 except such as may be provided for in the by-laws of the association.
3 It shall be the duty of the secretary to be present at all meetings of the
4 directors, and meetings of the shareholders, and faithfully make and
5 preserve a record of all the proceedings of such meetings, which record
6 shall be kept in a suitable place accessible to the inspection of any share-
7 holder. He shall be the book-keeper of the association, shall keep the
8 accounts between the association and the individual shareholders, officers
9 and agents thereof, and between the association and all parties with whom
10 it may transact business, and such other duties as may be imposed upon
11 him by the by-laws of the association.

§ 8. The shares of stock shall not be less than \$50 nor more than \$2,000
2 per share, and subscriptions therefor shall be made payable to the association,
3 and in installments and at such time or times as shall be determined by
4 the shareholders, and an action may be maintained in the name of the
5 association to recover any installment which shall remain due and unpaid
6 for the period of thirty days after personal demand therefor; or, in cases

7 where personal demand is not made, within thirty days after a written
 8 or printed notice has been deposited in the postoffice, properly directed
 9 to the postoffice address of the shareholder. The association may by
 10 by-law prescribe other penalties for a failure to pay the installments that
 11 may from time to time become due, but no penalty working forfeiture
 12 of stock, or the amount paid thereon, shall be declared against any
 13 shareholder until the personal demand, or written or printed notice above
 14 provided for, shall have been made. Whenever a share of stock shall be
 15 forfeited such share shall then become the property of the association
 16 and may be re-issued to any person not already holding a share. But
 17 any proceeds received from such re-issue, over and above the amount due
 18 on said share, by the association, shall be paid to the delinquent
 19 shareholder.

§ 9. No share of stock shall be liable to execution, writ of attachment
 2 or distress for rent, for any of the individual debts of the owner of such
 3 share, nor shall any shareholder be permitted to pledge his share as
 4 security for any debt or obligation that may be due from such shareholder
 5 to any person, but such shareholder may pledge not to exceed at any
 6 one time sixty days of his dividends to any creditor, provided the fact
 7 of such pledge shall be first noted upon the books of the association.

§ 10. Every assignment or transfer of stock on which there remains
 2 any portion unpaid shall be recorded on the books of the association,
 3 and each shareholder shall be liable jointly with the association as well
 4 as severally for the debts of the association to the extent of the amount
 5 that may be unpaid upon the share held by him. No assignor of a share
 6 shall be released from any such indebtedness by reason of any assignment
 7 of his share, but shall remain liable therefor jointly with the assignee
 8 and the association, or severally, until the stock is fully paid up. Every
 9 assignee of a share shall be liable for the amount unpaid thereon, the
 10 same as if he had been an original shareholder. No assignment shall be
 11 made to any person who already holds a share. No assignee or transferee
 12 of stock shall have any equitable or legal title in the same, or have the

13 right to vote at any shareholders' meeting until such assignment or
 14 transfer shall be recorded as above provided for.

§ 11. All dividends of profits made by any association incorporated under
 2 this act, shall be made in proportion to the amount of work performed, or
 3 product produced by each shareholder, and the association shall decide by by-
 4 law whether each shareholder's work or product shall be measured by the
 5 piece, or by the day or hour, or may classify the work, and measure
 6 some by the piece, some by the day, and some by the hour as the exi-
 7 gencies of the case may demand. The association shall also provide by
 8 by-law how different kinds of piece-work shall be rated, and how piece-
 9 work shall be rated with day or hour work; shall provide how and by
 10 whom all kinds of work shall be received as properly executed from the
 11 shareholders for the association; shall provide the manner of giving out
 12 material to the different shareholders with which to work, and as to what
 13 positions or locations shall be assigned to each shareholder and by whom.
 14 Should any shareholder be dissatisfied with the decision upon his work,
 15 or with the material given him, or the position or location assigned him,
 16 he may appeal to the association at some regular meeting of the share-
 17 holders, whose decision shall be final. The association may provide by
 18 by-law how such appeal may be conducted. If in any kind of industry
 19 it should be impossible to assign all shareholders to equally advantageous
 20 positions or locations in work, the association may provide that share-
 21 holders shall periodically change places, or provide any other method of equal-
 22 izing such matters in accordance with justice and equity.

§ 12. It shall be unlawful for the association to hire any person to
 2 engage in the principal business for which the association was organized
 3 to prosecute, it being the intent of this act that such labor shall be per-
 4 formed by shareholders of the association to preserve the co-operative
 5 feature. It shall be lawful for any shareholder, in case he shall be de-
 6 tained from work by sickness of self or family, or very urgent business,
 7 to employ and furnish a competent substitute to perform such labor as
 8 would be assigned to the absent shareholder; and in such case the div-

9 idends shall be made to such shareholder the same as if he was present
 10 performing his labor himself. The association shall not be liable in any
 11 manner for the pay of such substitute.

§ 13. Whenever any householder may die, his share shall become a personal
 2 asset of his estate, and may be sold by his legal representative to any person,
 3 or may be awarded as a dividend of the estate to any person competent to
 4 work the share, or to any devisee or legatee competent to work the share, not
 5 already a shareholder, and the same may be assigned or transferred in the same
 6 manner, and subject to the same regulations prescribed in section 10 of this
 7 act. Such legal representative shall have the right to furnish a competent
 8 substitute to work the share of such deceased person for the space of
 9 two years after the death of the deceased, unless the same shall have been
 10 sooner sold, or awarded as an estate dividend, or devise or legacy, as this
 11 section provides, and during the time such substitute may be furnished, such
 12 legal representative, for the use of the estate, shall be entitled to vote,
 13 receive dividends and shall inure to all the benefits to which the deceased
 14 if living and working his share would have been entitled. Whenever such
 15 share shall become a part of the widow's allowance in the course of the
 16 administration of the estate of any deceased shareholder, she may furnish
 17 a competent substitute to work such share, and shall be entitled to all
 18 privileges, dividends, etc., to which her husband would have been entitled,
 19 so long as she may desire to hold such share. She shall also have the
 20 privilege to sell the same whenever she may desire under the provisions
 21 of section 10 of this act.

§ 14. Any association licensed to operate under this act may increase
 2 its membership of shareholders in such manner as it may by by-law provide
 3 not inconsistent with any of the provisions of this act.

§ 15. The General Assembly hereby reserve the power to prescribe such
 2 regulations and provisions governing any and all associations incorporated
 3 under this act as it may deem advisable, such regulations and provisions
 4 to be binding on associations incorporated at the time such regulations
 5 may be made as well as those thereafter incorporated.

§ 16. All associations organized under this act, whose powers may have
 2 expired by limitation or otherwise, shall continue their corporate capacity
 3 during the term of two years for the purpose only of collecting debts due
 4 the association, and selling and conveying the property and effects thereof,
 5 and during such time shall be capable of prosecuting and defending suits
 6 in law or equity. The dissolution for any cause whatever, of any association
 7 incorporated under this act, shall not take away or impair any remedy
 8 given against such association, its shareholders, officers, or agents, for any
 9 liabilities incurred previous to dissolution.

§ 17. It shall be the duty of the directors of any association to cause
 2 to be kept at its principal office, or place of business, in this State,
 3 correct books of account of all its business, and every shareholder of such
 4 association shall have the right at all reasonable times by himself or his
 5 attorney, to examine the records and books of account of the association.

§ 18. A failure to elect directors or officers, or both, on the day
 2 designated in the by-laws, or on the day for which notice was given for
 3 election, shall not have the effect of dissolving the association, but such
 4 election may be held at any time after proper notice.

§ 19. All assessments or installments of the unpaid or partly unpaid
 2 shares of stock of any association shall be levied by the directors in
 3 accordance with the provisions of the by-laws, but any assessment or
 4 installment required to be paid shall be levied pro rata upon all the shares
 5 of stock.

§ 20. If the indebtedness of any association shall exceed the amount of
 2 its capital stock, the directors and officers of such association assenting
 3 thereto shall be individually liable for such excess to the creditors of such
 3 association.

§ 21. If the directors or officers or agents of any association shall declare
 2 and pay any dividend, when such association is insolvent, or any dividend, the
 3 payment of which would diminish the amount of capital stock, all directors,
 4 officers and agents assenting thereto shall be jointly and severally liable for all

5 debts of such association then in existence and for all which shall thereafter
6 be contracted, while they shall respectively continue in office.

§ 22. The board of directors shall hold stated meetings not less frequent
2 than once each month, as may be provided by the by-laws, and when
3 such officers shall be present at any meeting, however called or notified,
4 or shall sign a written consent on the records of such meeting, the acts
5 of such meeting shall be as valid as if legally called and notified. All
6 directors' meetings must be held within the limits of this state.

§ 23. The shareholders of every association shall hold regular meetings
2 not less frequently than once each month, as may be provided by the
3 by-laws, and shall be presided over by the president of the association, or
4 in his absence the vice-president shall preside, and in his absence, the
5 meeting may elect a president *pro tempore*, who shall preside during that
6 meeting. It shall require a majority of all the shareholders entitled to
7 vote, to be present, either in person or by written proxy, to constitute a
8 quorum to transact business, but a smaller number may adjourn from time
9 to time if they desire, or until the next regular meeting.

§ 24. No by-law shall be adopted, amended or repealed, except by an
2 affirmative vote of a majority of all the shareholders entitled to vote.
3 Such vote shall be taken by a call of the roll of shareholders by the
4 secretary of the meeting, noting the responses whether aye or no,
5 opposite their respective names, and which vote shall be spread upon the
6 records of the proceedings. Votes upon other questions may be *circa voce*,
7 showing of hands, or a division of the house, unless three shareholders by
8 themselves or proxy shall call for the ayes and noes, when in such case the roll
9 shall be called, and the aye and no vote taken. If in calling the roll
10 upon any question, less than a quorum votes, the pending question shall
11 still remain as undecided until a quorum shall vote on the question. Any
12 proposition to amend, repeal or enact any by-law must set forth the by-law
13 as amended, or the one repealed, or the new one proposed, and be read at
14 large in open meeting, and its consideration postponed until the next

15 meeting, unless a majority of all the shareholders of the association shall, on
 16 an aye and no vote, be in favor of considering the question at once.

§ 25. If any association or its authorized agents shall do or refrain
 2 from doing any act which shall subject it to a forfeiture of its charter
 3 or corporate powers, or shall allow any execution or decree of any court
 4 of record for a payment of money after demand made by the officer, to
 5 be returned, "no property found," or to remain unsatisfied thirty days
 6 after such demand, or shall dissolve or cease doing business, leaving debts
 7 unpaid, suits in equity may be brought against all persons who were
 8 shareholders at the time, and liable in any way, for the debts of the
 9 association by joining the corporation in such suit, and after the assets
 10 of the corporation shall have been exhausted, each shareholder may be
 11 required to pay the *pro rata* share of such debts to the amount of his
 12 unpaid stock, or to any extent to which he may by law have become
 13 individually liable.

§ 26. Courts of equity shall have full power, on good cause shown, to
 2 dissolve or close up, or take charge of the business of any association
 3 for the benefit of the creditors, to appoint a receiver therefor who shall
 4 have authority, by the name of the receiver of such association, giving
 5 his name to sue in all courts, and do all things necessary to close up
 6 its affairs, or to make the moneys charged against it and return it back
 7 to the shareholders of the association, as may be commanded by the
 8 decree of courts. Said receiver shall be a citizen of the State of Illinois,
 9 and shall enter into bonds, payable to the people of the State of Illinois,
 10 for the use of all parties interested, in such penalty and with such sureties
 11 as the court may, in the decree or order appointing the same, require.

§ 27. The certified copy of any articles of incorporation and changes
 2 thereon, under the great seal of the State of Illinois, shall be taken and
 3 received in all courts and places as *prima facie* evidence of the facts
 4 themselves.

AMENDMENTS TO SENATE BILL No. 3.

Strike out section 9.

- 2 Amend section 10 by adding thereto the following: "On no question shall
3 any shareholder have more than one vote."

1. Received from House May 5, 1887, and ordered to first reading.
2 First reading May 13, 1887, and ordered to second reading without reference.

A BILL

For an act to empower Trustees of Schools to lay out and dedicate common school lands for street and highway purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Trustees of Schools of any township are hereby authorized and empowered in their corporate capacity, to lay out and dedicate to the public use for street and highway purposes, so much of the common school lands, which is unimproved or unoccupied with buildings, as may be necessary to open or extend any street or highway which may be ordered opened or extended by the municipal authorities, which are by law empowered to open or extend streets or highways in the territory where said school lands are located: *Provided*, that said Trustees of Schools shall be of the opinion that the benefits to accrue from the opening or extending of said street or highway, to the remainder of said common school lands, will compensate for the use of the strip so dedicated. *And, provided further*, that it shall not be lawful for any street or other railroad to lay down railroad tracks on any strip of the common school land so dedicated, or use the same or any part of the common school lands for railroad or street railroad purposes, except upon the purchase or lease of the same from proper authorities or upon the payment to the school fund of said township of the value of such use or land taken, the same as if no street or highway had been laid out thereon, to be determined by proceedings under an act entitled "An act to provide

20 for the exercise of the right of eminent domain," approved April 10, 1872,
21 and all amendments thereto: *And, provided, further,* that this bill shall
22 not in any way affect existing leases or contracts for the lease or purchase
23 of common school lands.

1. Introduced by Mr. Curtiss, January 6, 1887, and ordered to first reading.
2. First reading January 6, 1887, and referred to Committee on Judiciary.
3. Reported back February 2, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section four (4) of an act to amend an act entitled "An act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved April 30, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That section four (4) of an act entitled an act to
3 amend an act entitled "An act to exempt the homestead from forced sale,
4 and to provide for setting off the same, and to exempt certain personal
5 property from attachment and sale on execution and from distress for rent,"
6 approved April 30, 1873, in force July 1, 1873, be and hereby is amended
7 so as to read as follows:

8 "Section 4. No release, waiver or conveyance of the estate so exempted,
9 shall be valid, unless the same is in writing, subscribed by said householder
10 and his or her wife or husband, if he or she have one, and acknowledged
11 in the same manner as conveyances of real estate are required to be
12 acknowledged, or possession is abandoned or given pursuant to the conveyance;
13 or, if the exemption is continued to a child or children, without the order
14 of a court of competent jurisdiction directing a release thereof: *Provided*,
15 that in all cases when such release, waiver or conveyance shall be taken
16 by way of mortgage or security, the same shall only be operative as to such

17 specific release, waiver or coveyance; and when the same includes different
18 pieces of land, or the homestead is of greater value than one thousand dollars,
19 said other lands shall first be sold before resor ing to the homestead, and in
20 case of the sale of such homestead, if any balance shall remain after the
21 payment of the debt and costs, such balance shall, to the extent of one
22 thousand dollars (\$1,000.00) be exempt, and be applied upon such homestead
23 exemption in the manner provided by law."

1. Received from House April 7, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend sections eight (8), nine (9) and twenty-one (21) of an act entitled "An act in regard to limitations," approved April 4, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That* sections eight (8), nine (9) and twenty-one
3 (21) of an act entitled "An act in regard to limitations," approved April 4,
4 1872, in force July 1, 1872, be and the same are hereby amended so as
5 to read as follows:
6 "Section 8. The two preceding sections shall not extend to lands or
7 tenements owned by the United States or this State, nor to school and
8 seminary lands, nor to lands held for the use of religious societies, nor to
9 lands held for any public purpose, nor shall they extend to lands or tenements
10 where there shall be an adverse title to such lands or tenements and the
11 holder of such adverse title is under the age of twenty-one years, insane,
12 imprisoned, out of the limits of the United States and in the employment
13 of the United States or of this State: *Provided*, such person shall com-
14 mence an action to recover such lands or tenements so possessed as
15 aforesaid within three years after the several disabilities herein enumerated
16 shall cease to exist and shall prosecute such action to judgment, or, in
17 case of vacant and unoccupied lands, shall within the time last aforesaid
18 pay to the person or persons who have paid the same, all the taxes, with

19 interest thereon at the rate of *ten* per cent. per annum, *that* have been
20 paid on said vacant and unimproved lands, and: *Provided*, that in case of
21 any insane person, the disability shall cease to exist with the appointment
22 and qualification of a conservator of such insane person under the laws of
23 this State, and the time herein limited shall commence to run from the
24 time of such appointment and qualification."

25 "Section 9. If at the time when such right of entry or of action upon
26 or for lands first accrues the person entitled to such entry or action is
27 within the age of twenty-one years, or if a female *of* at the age of
28 eighteen years, or insane, imprisoned, or absent from the United States in
29 the service of the United States or of this State, such person or any one
30 claiming from, by or under him *or her* may make the entry or bring the
31 action at any time within two years after such disability is removed, not-
32 withstanding the time before limited in that behalf has expired: *Provided*,
33 that in case of any insane person the disability shall be removed by the
34 appointment *of* and qualification of a conservator for such insane person under
35 the laws of this State, and the time in this section limited shall begin to
36 run from the time of such appointment and qualification."

37 "Section 21. If the person entitled to bring any action in the nine preceding
38 sections is at the time the cause of action *accrued* within the age of twenty-
39 one years, or if a female within the age of eighteen years, or insane, or
40 imprisoned on a criminal charge, he or she may bring the action within
41 two years after the disability is removed: *Provided*, that in case of an
42 insane person the disability shall be removed by the appointment and
43 qualification of a conservator under the laws of this State for such insane
44 person, and the time in this section limited shall commence to run from
45 the time of such appointment and qualification."

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section seventy (70) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section seventy (70) of an act entitled "An act*
3 *in regard to the administration of estates," approved April 1, 1872, in force*
4 *July 1, 1872, be amended so as to read as follows:*

5 "Section 70. All demands against the estate of any testator or intestate
6 shall be divided into classes in manner following, to-wit:

7 *First*—Funeral expenses.

8 *Second*—The widow's award if there is a widow, or children if there are
9 children, and no widow.

10 *Third*—All claims for wages of any servant or laborer, and expenses attend-
11 ing the last illness of the deceased, not including physician's bill.

12 *Fourth*—Debts due the common school or township fund.

13 *Fifth*—All expenses of proving the will and taking out letters testamentary or
14 of administration and settlement of the estate, and physician's bill in the last
15 illness of the deceased.

16 *Sixth*—When the decedent has received money in trust for any purpose, his
17 executor or administrator shall pay out of his estate the amount thus received
18 and not accounted for.

19 *Seventh*—All other debts and demands of whatsoever kind without regard to
20 quality or dignity which shall be exhibited to the court within two years from
21 the granting of letters as aforesaid, and all demands not exhibited within two
22 years as aforesaid, shall be forever barred, unless the creditors shall find other
23 estate of the deceased not inventoried or accounted for by the executor or
24 administrator, in which case their claims shall be paid *pro rata* out of
25 such subsequent discovered estate, saving however, to infants, persons of
26 unsound mind, imprisoned, or without the United States in the employ-
27 ment of the United States or of this State, the term of two years after their
28 respective disabilities are removed to exhibit their claims: *Provided*, that
29 with persons of unsound mind the disability shall cease with the appointment
30 and qualification of a conservator for such persons under the laws of this
31 State, and the time herein limited shall begin to run from the appointment
32 and qualification of such conservator."

1. Introduced by Mr. Seiter, January 7, 1887, and ordered to first reading.
2. First reading January 7, 1887, and referred to Committee on Education and Educational Institutions.
3. Rules suspended, January 12, 1887, and ordered to second reading, and to be printed.

A BILL

For An Act to provide for the auditing and payment of the quarterly bills of
County Superintendents of Schools.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the quarterly bills of the County Superin-
3 tendents of Schools, for their compensation and expenses in visiting schools,
4 as provided in section seventy one (71), of the general school law, when pre-
5 sented in due form, shall be audited by the County Boards of the several
6 counties, at their first meeting after March 1, 1887, and so nearly as may
7 be quarterly thereafter; and that the Auditor of Public Accounts, upon
8 receipt of said bills duly certified, is hereby authorized and required to draw
9 his warrants upon the State Treasurer, in payment thereof, payable from the
10 State school fund, and to transmit said warrants to the several County
11 Superintendents of Schools.

12 § 2. *Whereas,* Under the present law said bills of the County Superm-
13 intendents of Schools cannot be audited and paid until after September 1,
14 1887, therefore an emergency exists, and this act shall take effect immedi-
15 ately upon its passage.



1. Introduced by Mr. Chapman, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Taken up by unanimous consent January 12, 1887, and ordered to be printed.

A BILL

For An Act to provide for the employment of Convict Labor in making school books and for their free distribution to those entitled to admission in the public schools of the State of Illinois, and for the appointment of a Committee on Text Books, prescribing their powers and duties and making an appropriation therefor

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there shall be employed in making text books for the public schools of the State of Illinois as many of the convicts confined in the penitentiaries at Joliet and Chester as may be necessary to carry out the provisions of this act.

§ 2. Such work shall be performed at and under the direction and control of the Penitentiary Commissioners of Joliet.

§ 3. If at any time there shall not be sufficient number of convicts that can be advantageously employed in such work at Joliet Penitentiary, the said Commissioners may on petition to the Governor of this State setting forth their reasons for, and request the transfer of the number required from the penitentiary at Chester to the penitentiary at Joliet, and if the Governor shall find that such number suited to the work can be so transferred without disadvantage to the Chester Penitentiary he shall direct that such transfer be made, and thereupon the Commissioners of the Chester Penitentiary shall

9 cause to be delivered to the proper officers of the Joliet Penitentiary
10 the convicts required by such order, and the Governor may by order direct
11 that an equal number of convicts not suited to the work of making books
12 be transferred from Joliet to Chester Penitentiary, and thereupon the
13 Commissioners of Joliet Penitentiary shall cause to be delivered to the
14 proper officers of Chester Penitentiary the convicts required by such order.

§ 4. The Commissioners shall upon the taking effect of this act employ a
2 General Superintendent of Printing and Book Binding, who shall be
3 thoroughly skilled in the detail of both departments of printing and book
4 binding, and shall be paid a salary not to exceed the sum of three thousand
5 dollars per annum. Such Superintendent shall under the direction of said
6 Commissioners have charge and control of those engaged in such work so
7 far as appertains to the manner in which the work is to be performed.
8 Said Commissioners shall also employ such number of overseers and
9 instructors as may be required, not to exceed ten in number, and to be paid
10 not to exceed seventy-five dollars per month.

§ 5. The Commissioners shall, upon the taking effect of this act, adver-
2 tise for bids for furnishing the plant necessary to advantageously employ at
3 least two hundred and fifty convicts; such advertisement shall be made in
4 the same manner as is now provided by law for advertisement for bids for
• 5 supplies, and in addition thereto such notice shall be published in at least
6 one daily paper published in the cities of Boston, New York and Philadel-
7 phia, and provided that such machinery shall not cost to exceed the sum of
8 fifty thousand dollars. And said commissioners shall also advertise in the
9 same manner from time to time for paper and material required in the
10 making of such books. The Commissioners shall reserve the right to reject
11 any and all bids; in case the lowest bid received is not lower, quality and quantity
12 considered, than current or market rates, and in case no bid is accepted,
13 said Commissioners may purchase the amount advertised for, upon the
14 market at not to exceed current rates. The material purchased and the help
15 employed under this act, by the Commissioners of Joliet Penitentiary, shall
16 be paid for by said Commissioners according to the terms of this act, and

17 the Auditor shall draw his warrant in favor of said Commissioners to the
18 amount herein appropriated to their use, upon the order of the Board of
19 Commissioners signed by the President, and attested by the Secretary, with
20 the seal of said institution attached.

§ 6. The State Superintendent of Public Instruction, the President of the
2 State Normal University at Normal, the Principal of the State Normal
3 University at Carbondale, and their successors in office, are hereby constituted
4 a Committee on Text Books, for the purpose of providing the matter for a
5 uniform system of text books for the use of the public schools of this State,
6 in the making of which such convict labor shall be employed.

§ 7. The Committee on Text Books shall, upon the taking effect of this act,
2 select such of the series of primer and readers as are now published, that are
3 in then common, suitable to the wants of the public schools of this State, and
4 if said Committee shall find that any of the series so selected are open to free
5 publication, without injustice to the compilers, or in violation of the law of
6 copyright, they shall accept such series; but, if the Committee shall find all
7 such series so selected fully protected by copyright, they shall then upon
8 negotiate for the purchase of the copyright for the State of Illinois of one of the
9 series so selected. *Provided, however,* such copyright shall not cost to exceed
10 the sum of five thousand dollars. *And provided further,* that if none of the
11 series so selected can, in the opinion of said Committee, be purchased at
12 a reasonable sum, then said Committee may use such money in the purchase
13 of manuscript for the reader required, after first giving public notice of the sum
14 offered for each separate grade of readers in at least one of the leading
15 newspapers in at least four of the large cities of this State, and in Boston
16 and Philadelphia for the space of thirty days; the several sums to be paid for
17 the manuscripts selected by said Committee, and none be accepted, except
18 such as fully meet the requirements of the Committee. Said sum so to be
19 paid to be certified to the Auditor upon bills of particulars by said Committee,
20 and the Auditor shall draw his warrant therefor.

§ 8. The public schools shall first be supplied with readers, commencing
2 with the first, or Primer grade, and as soon as all the County Superin-

tendents of this State have been supplied with readers for distribution as hereinafter provided, said Committee on Text Books shall proceed in the same manner as provided for securing the copyright of manuscript for readers to secure manuscript for the following text books, not to exceed in cost, of, for speller, \$500; writing book, \$300; mental arithmetic, \$1,500; practical arithmetic, \$1,500, geography, \$2,000, and grammar as they may be required.

§ 9. The books, when made, shall be subject to the order of the State Superintendent of Public Instruction, and shall be packed and shipped from the Joliet penitentiary to the County Superintendents of Schools, in such number, and at such times as he may direct. *Provided*, no county shall be supplied with a second grade or series of books until every county in the State is furnished with the first grade or series.

§ 10. The County Superintendent shall, upon receipt of any school books, receipt in duplicate for same, sending one receipt to the Commissioners of Joliet penitentiary, and one to the State Superintendent of Public Instruction, and the County Superintendent shall forthwith deliver to the township treasurer of school fund, in each township in his county, such proportion of the books received as the number of scholars in such township may bear to the total number of scholars in the county. Such township treasurer shall make receipts in duplicate, sending one to the State Superintendent of Public Instruction and one to the county superintendent, and said township treasurer shall distribute said books to the directors of the several school districts of his township, in the same proportion as is provided in this section for distribution by the county superintendent. Said directors shall receipt in duplicate for said books, sending one to the township treasurer and one to the county superintendent. The school directors shall, at the commencement of any term of school, deliver to the teacher such books as are held by them belonging to the State, and such teachers shall receipt in duplicate, one of which shall be given to the directors and one shall be sent to the State Superintendent of Public Instruction, and it is hereby made the duty of the teacher receiving such books to distribute the same to the

20 scholars, and at the end of the term collect and return such books, under
21 such rules as the board of directors may prescribe.

§ 11. For the purpose of purchasing the necessary machinery and material
2 required and for paying the help as by this act provided, and for the
3 purchase of copyright and manuscript, the sum of \$250,000 is hereby
4 appropriated, to be paid out of any money in the State Treasury not
5 otherwise appropriated. The moneys hereby appropriated to be paid as
6 hereinbefore provided.

1. Introduced by Mr. Chapman, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back January 12, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 15, 1887, without recommendation, but asking that it be printed and placed on the calendar.

A BILL

For An Act to provide for the employment of Convict Labor in making School Books and for their free distribution to those entitled to admission in the Public Schools of the State of Illinois and for the appointment of a Committee on Text Books prescribing their powers and duties and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there shall be employed in making text books for the public schools of the State of Illinois as many of the convicts confined in the Penitentiaries at Joliet and Chester as may be necessary to carry out the provisions of this act.

§ 2. Such work shall be performed at, and under the direction and control, of the Penitentiary Commissioners at Joliet.

§ 3. If at any time there shall not be sufficient number of convicts that can be advantageously employed in such work at Joliet Penitentiary, the said Commissioners may, on petition to the Governor of this State setting forth their reasons for, and request the transfer of, the number required from the Penitentiary at Chester to the Penitentiary at Joliet, and if the Governor shall find that such number suited to the work can be so transferred without disadvantage to the Chester Penitentiary he shall direct that such transfer

be made, and whenever the Commissioners of the Chester Penitentiary shall cause to be delivered to the proper officers of the Joliet Penitentiary the convicts required by such order, and the Governor may, by order, direct that an equal number of convicts not suited to the work of making books, be transferred from Joliet to Chester Penitentiary, and thereupon the Commissioners of Joliet Penitentiary shall cause to be delivered to the proper officers of Chester Penitentiary the convicts required by such order.

§ 4. The Commissioners shall upon the taking effect of this act employ a general superintendent of printing and book binding, who shall be thoroughly skilled in the detail of both departments of printing and book binding, and shall be paid a salary not to exceed three thousand dollars per annum. Such superintendent shall under the direction of said Commissioners have charge and control of those engaged in such work so far as appertains to the manner in which the work is to be performed. Said Commissioners shall also employ such number of overseers and instructors as may be required, not to exceed ten in number, and to be paid not to exceed seventy-five dollars per month.

§ 5. The Commissioners shall, upon the taking effect of this act, advertise for bids for furnishing the plant necessary to advantageously employ at least two hundred and fifty convicts; such advertisement shall be made in the same manner as is now provided by law for advertisement for bids for supplies, and in addition thereto such notice shall be published in at least one daily paper published in the cities of Boston, New York and Philadelphia, and provided that such machinery shall not cost to exceed the sum of fifty thousand dollars. And said Commissioners shall also advertise in the same manner from time to time for paper and material required in the making of such books. The Commissioners shall reserve the right to reject any and all bids, in case the lowest bid received, is not lower, quality and quantity considered, than current or market rates, and in case no bid is accepted, said Commissioners may purchase the amount advertised for, upon the market at not to exceed current rates. The material purchased and the help employed under this act, by the Commissioners of Joliet Penitentiary, shall be paid for by said Com-

16 commissioners according to the terms of this act, and the Auditor shall draw his
17 warrant in favor of said Commissioner to the amount herein appropriated to
18 their own use, upon the order of the Board of Commissioners, signed by the
19 president and attested by the secretary, with the seal of said institution
20 attached.

§ 6. The State Superintendent of Public Instruction, the President of the
2 State Normal University at Normal, the Principal of the State Normal Uni-
3 versity at Carbondale, and their successors in office, are hereby constituted a
4 committee on text books for the purpose of providing the matter for a uniform
5 system of text books, for the use of the public schools of this State, in the
6 making of which such convict labor shall be employed.

§ 7. The committee on text books shall, upon the taking effect of this act
2 select such of the series of primer and readers as are now published, that are
3 in their opinion, suitable to the wants of the public schools of this State, and
4 if said committee shall find that any of the series so selected are open to free
5 publication without injustice to the compilers, or in violation of the law of
6 copyright, they shall accept such series, but if the committee shall find all
7 such series so selected fully protected by copyright, they shall thereupon ne-
8 gotiate for the purchase of the copyright for the State of Illinois of one of the
9 series so selected: *Provided, however,* such copyright shall not cost to exceed
10 the sum of five thousand dollars: *And, provided further,* that if none of the
11 series so selected can, in the opinion of said committee, be purchased at a
12 reasonable sum, then said committee may use such sum of money in the pur-
13 chase of manuscript for the readers required, after first giving public notice of
14 the sum offered for each separate grade of readers in at least one of the lead-
15 ing newspapers in at least four of the large cities of this State, and in Boston
16 and Philadelphia for the space of thirty days; the several sums to be paid
17 for the manuscripts selected by said committee, and none to be accepted
18 except such as fully meet the requirements of the committee. Said sums so
19 to be paid to be certified to the Auditor upon bills of particulars by said
20 Committee and the Auditor shall draw his warrant therefor.

2 with the first, or primer grade, and as soon as all the county superintendents
3 of this State have been supplied with readers for distribution as hereinafter
4 provided, said committee on text books shall proceed in the same manner
5 as provided for securing the copyright or manuscript for readers to secure
6 manuscript for the following text books not to exceed in cost of, for speller,
7 \$500; writing book \$300, mental arithmetic \$1,500, practical arithmetic \$1,-
8 500, geography \$2,000, and grammar \$1,500, as they may be required.

§ 9. The books when made shall be subject to the order of the State
2 Superintendent of Public Instruction, and shall be packed and shipped from
3 the Joliet penitentiary to the county superintendent of schools, in such num-
4 ber, and at such times as he may direct, *Provided*, no county shall be sup-
5 plied with a second grade or series of books until every county in the State
6 is furnished the first grade or series.

§ 10. The county superintendent shall upon receipt of any school books
2 receipt in duplicate for same, sending one receipt to the Commissioners of
3 Joliet Penitentiary, and one to the State Superintendent of Public Instruction.
4 And the county superintendent shall forthwith deliver to the township treas-
5 urer of school fund in each township in his county, such proportion of the
6 books received as the number of scholars in such township may bear to the
7 total number of scholars in the county. Such township treasurer shall make
8 receipts in duplicate sending one to the State Superintendent of Public In-
9 struction and one to the county superintendent, and said township treasurer
10 shall distribute said books to the directors of the several school districts of his
11 township, in the same proportion as is provided in this section for distribution by
12 the county superintendent. Said directors shall receipt in duplicate for said
13 books sending one to the township treasurer and one to the county superin-
14 tendent. The school directors shall, at the commencement of any term of
15 school, deliver to the teacher such books as are held by them belonging to the
16 State, and such teachers shall receipt in duplicate, one of which shall be given
17 to the directors and one shall be sent to the State Superintendent of Public
18 Instruction, and it is hereby made the duty of the teacher receiving such

19 books to distribute the same to the scholars, and at the end of his term col-
20 lect and return such books under such rules as the board of directors may
21 prescribe.

§ 11. For the purpose of purchasing the necessary machinery and material
2 required and for paying the help as by this act provided, and for the purchase
3 of copyright and manuscript the sum of \$250,000, is hereby appropriated to
4 be paid out of any money in the State treasury not otherwise appropriated.
5 The moneys hereby appropriated to be paid as hereinbefore provided.

AMENDMENTS TO SENATE BILL No. 7.

Amend by inserting after the word "plant," in line 2, paragraph 5, the words:
2 "Except type and electrotyping apparatus," and in line 3, paragraph 5, strike
3 out the words "two hundred and fifty" and insert the words "one hundred."
4 In line 7, paragraph 5, strike out the word "fifty" and insert the word "thirty."
5 Add the following at the end of paragraph 4: "And said Commissioners may
6 contract for, at not to exceed current rates, and have the necessary type set-
7 ting and electrotyping done by free labor in such manner that the plates shall
8 be ready for the press."
9 Insert after the word "direct," in line 4, paragraph 9, the following: "And
10 said committee shall provide by proper rules that after the schools have been
11 provided with any books that citizens of this State who may desire, can pur-
12 chase through the State Superintendent of Public Instruction, such books at
13 their cost price to the State, including a reasonable compensation for the con-
14 vict labor." In line 3, paragraph 11, strike out the figures "\$250,000," and
15 insert the words "one hundred and seventy-five thousand dollars," (\$175,000.)

1. Introduced by Mr. Curtiss, January 7, 1887, and ordered to first reading.
2. First reading January 7, 1887, and referred to Committee on Appropriations.
3. Reported back March 17, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to aid the Illinois Dairyman's Association in compiling, publishing and distributing its reports.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of five hundred dollars (\$500) per annum be, and the same is hereby appropriated to aid the Illinois Dairyman's Association in compiling, publishing and distributing its reports.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the sum in this act specified, to the order of the president of said association; and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.



(As Amended.)

1. Received from House February 9, 1887, and ordered to first reading.
2. First reading, February 9, 1887, and referred to Committee on Appropriations.
3. Reported back March 23, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act designating rooms in the State House for the occupancy of the Illinois State Library, and designating rooms for the State Historical Library and Natural History Museum and making an appropriation for the removal of the said Library and Museum.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the rooms in the west wing of the State House on the Legislative floor designated on the original plans and drawings as the "Miscellaneous Library Rooms," and now occupied by the State Historical Library and Natural History Museum, be and they are hereby set apart for the use of the Illinois State Library, as originally intended by the Commissioners for the construction of the new State House.

§ 2. The present Board of State House Commissioners are hereby authorized to finish the rooms hereby designated, and to furnish them with the necessary cases, shelving and furniture suitable for the use of the said State Library, and when so furnished the Board of Commissioners for the management of the State Library shall occupy the same in accordance with the purpose of this act.

§ 3. That for the purpose of defraying the expenses of the removal of the State Historical Library and Natural History Museum from the said rooms,

3 to rooms sixteen (16) and seventeen (17) on the lower floor in the north wing
4 of the Capitol which are hereby set apart for the occupancy of said museum,
5 the sum of one thousand dollars, or so much thereof as may be necessary, is
6 hereby appropriated out of any money in the State Treasury not otherwise
7 appropriated, and the Auditor of Public Accounts is hereby authorized to
8 draw his warrant upon the State Treasurer for the amount hereby appropri-
9 ated, or such part thereof as may be necessary, upon the certificate of a ma-
10 jority of the Board of Trustees of the State Historical Library and Natural
11 History Museum.

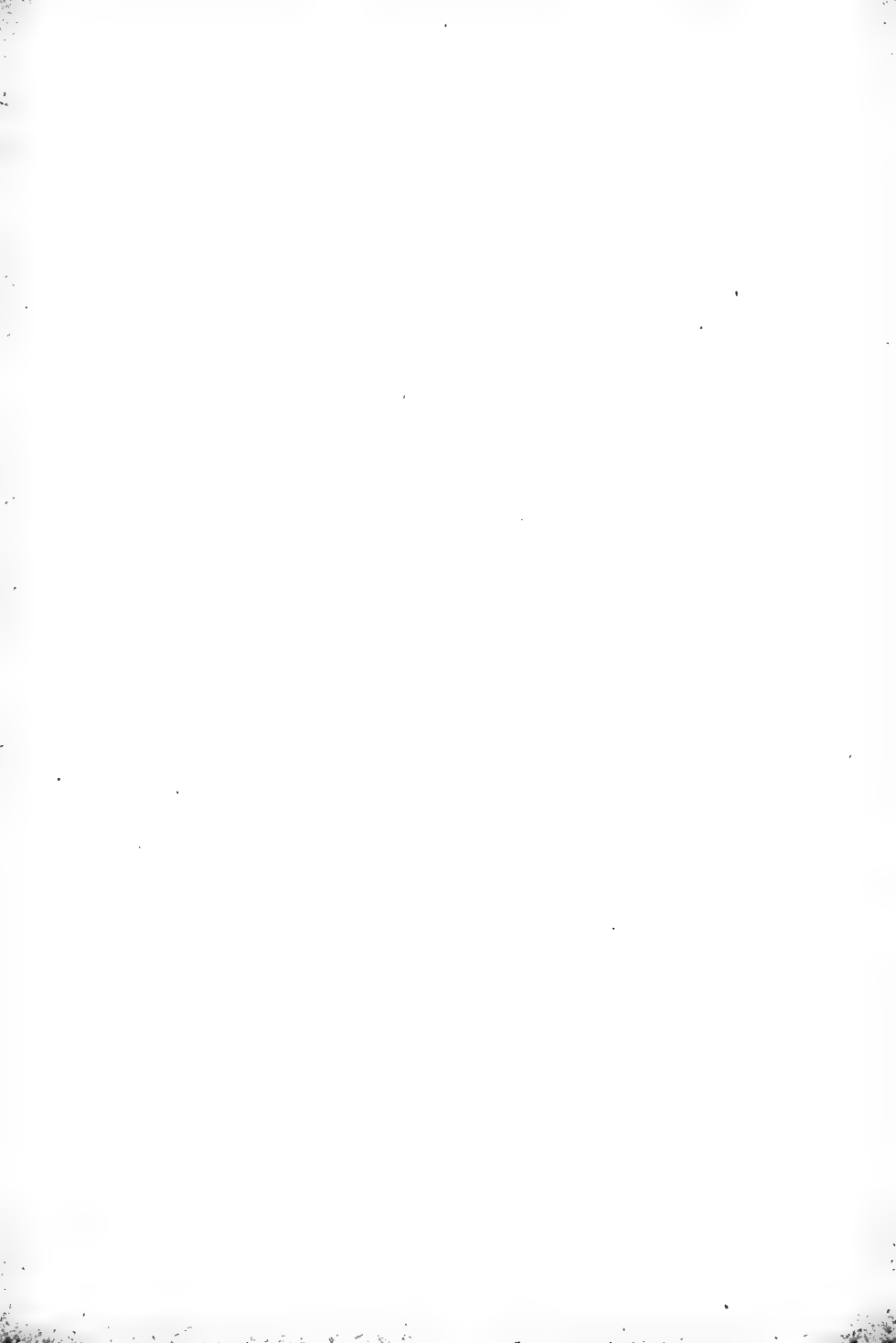
§ 4. Whereas a portion of the furniture and materials for furnishing
2 said rooms for the use of the State Library are now on hand, and the
3 present Board of State House Commissioners have about completed the
4 work of finishing the State House, except that of finishing and furnishing
5 these rooms, and as it is desirable that this shall be done as speedily as
6 possible, therefore an emergency exists, and this act shall take effect from
7 and after its passage.

§ 5. All acts or parts of acts in conflict with this act are hereby repealed.

1. Received from House February 9, 1887, and ordered to first reading.
 2. First reading February 9, 1887, and referred to Committee on Appropriations.
 3. Reported back March 23, 1887, with amendments, passage recommended, and ordered to second reading.
 4. Second reading April 8, 1887, amended and ordered to third reading.
-

SENATE AMENDMENT ADOPTED BY THE SENATE APRIL 8, 1887.

Amend by inserting after the word "Library," in line 3, the words, "and
2 designating rooms for the State Historical Library and Natural History
3 Museum, and making an appropriation for the removal of the said Library
4 and Museum."



1. Introduced by Mr. Southworth, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 3, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That "An act to revise the law in relation to the
3 commitment and detention of lunatics," approved March 21, 1874, in force
4 July 1, 1874, be amended by adding additional sections, to be known as
5 sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended, so as
6 to read as follows: An act to revise the law in relation to the commit-
7 ment and detention of lunatics, and to provide for the appointment of, and
8 removal of conservators.

9 "Section 24. That when it shall appear to the court upon any trial wherein
10 any person may be adjudged insane under the act to which this is an amendment,
11 that any such person is the owner or possessed of any property either real
12 or personal, which in the opinion of such court is in danger of waste or
13 depreciation, it shall be the duty of the court to appoint some fit person to
14 be the conservator of such insane person. *Provided,* That the petition for
15 an inquest shall also apply for the appointment of a conservator, shall first
16 be found by the jury."

17 "Section 25. That said conservator when so appointed shall give bond, qualify,

18 have the same power and discharge the same duties as are now required
19 by law of conservators in other cases."

20 "Section 26. When any person for whom a conservator has been appointed as
21 aforesaid, shall be discharged from any hospital which he or she may have
22 been confined, and shall be restored to reason so as to be able to manage
23 and control his or her property, such person may file his petition in writing
24 in the county court of the county in which such conservator was appointed,
25 to have such conservator removed and the care and management of his
26 property restored to him."

27 "Section 27. Notice of such application shall be given by service of summons
28 as in other cases, ten days before the commencement of the term of court
29 to which application shall be made."

30 "Section 28. It shall be the duty of the court to which any such application
31 is made on proof that such conservator has been duly notified of such
32 application, to cause a jury to be summoned to try the issue whether such
33 applicant is so far restored to reason as to be a fit person to have the
34 custody and control of his property, and if the jury returns in their verdict
35 that such person is fit to have the custody of his property as aforesaid,
36 the court shall enter an order removing such conservator and fully restoring
37 such person to all rights and privileges enjoyed by him before the appoint-
38 ment of such conservator. *Provided*, That such conservator so removed
39 shall be allowed a reasonable time to settle his accounts as such, and pay
40 all debts contracted by him and pass over the money or property remaining
41 in his hands, and such removal shall not invalidate any contracts made in
42 good faith by such conservator while acting as such."

43 "Section 29. The costs of proceedings under this act for the removal of con-
44 servators including the fees of the jury, shall be taxed against such
45 conservator, to be paid by him out of the money or property in his hands."

46 "Section 30. Appeals shall be allowed to the circuit court from any order or
47 judgment made or rendered under this act upon the applicant giving such
48 bond and security within such time as the court may direct."

1. Introduced by Mr. Southworth, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back, passage recommended, and ordered to second reading.
4. Second reading May 6, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That "An act to revise the law in relation to the*
 3 *commitment and detention of lunatics," approved March 21, 1874, in force*
 4 *July 1, 1874, be amended by adding additional sections, to be known as*
 5 *sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended so as*
 6 *to read as follows: An act to revise the law in relation to the commit-*
 7 *ment and detention of lunatics, and to provide for the appointment of, and*
 8 *removal of, conservators.*

9 "Section 24. That when it shall appear to the court upon any trial wherein
 10 any person may be adjudged insane under the act to which this is an amendment,
 11 that any such person is the owner or possessed of any property either real
 12 or personal, which in the opinion of such court is in danger of waste or
 13 depreciation, it shall be the duty of the court to appoint some fit person to
 14 be the conservator of such insane person. *Provided, That the petition for*

15 an inquest shall also apply for the appointment of a conservator, and the
16 necessity for the appointment of such conservator, shall first be found by
17 the jury, and such trial shall be had before a jury composed of twelve
18 jurors."

19 "Section 25. That said conservator when so appointed shall give bond, qualify,
20 have the same power and discharge the same duties as are now required
21 by law of conservators in other cases."

22 "Section 26. When any person for whom a conservator has been appointed as
23 aforesaid, shall be discharged from any hospital in which he or she may have
24 been confined, and shall be restored to reason so as to be able to manage
25 and control his or her property, such person may file his petition in writing
26 in the county court of the county in which such conservator was appointed,
27 to have such conservator removed and the care and management of his
28 property restored to him."

29 "Section 27. Notice of such application shall be given by service of summons
30 as in other cases, ten days before the commencement of the term of court
31 to which application shall be made."

32 "Section 28. It shall be the duty of the court to which any such application
33 is made on proof that such conservator has been duly notified of such
34 application, to cause a jury to be summoned to try the issue whether such
35 applicant is so far restored to reason as to be a fit person to have the
36 custody and control of his property, and if the jury returns in their verdict
37 that such person is fit to have the custody of his property as aforesaid,
38 the court shall enter an order removing such conservator and fully restoring
39 such person to all rights and privileges enjoyed by him before the appoint-
40 ment of such conservator. *Provided*, That such conservator so removed
41 shall be allowed a reasonable time to settle his accounts as such, and pay
42 all debts contracted by him and pass over the money or property remaining
43 in his hands, and such removal shall not invalidate any contracts made in
44 good faith by such conservator while acting as such."

45 "Section 29. The costs of proceedings under this act for the removal of con-

1. Introduced by Mr. Southworth, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back, passage recommended, and ordered to second reading.
4. Second reading May 6, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That* "An act to revise the law in relation to the
3 commitment and detention of lunatics," approved March 21, 1874, in force
4 July 1, 1874, be amended by adding additional sections, to be known as
5 sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended so as
6 to read as follows: An act to revise the law in relation to the commit-
7 ment and detention of lunatics, and to provide for the appointment of, and
8 removal of, conservators.

9 "Section 24. That when it shall appear to the court upon any trial wherein
10 any person may be adjudged insane under the act to which this is an amendment,
11 that any such person is the owner or possessed of any property either real
12 or personal, which in the opinion of such court is in danger of waste or
13 depreciation, it shall be the duty of the court to appoint some fit person to
14 be the conservator of such insane person. *Provided, That the petition for*

15 an inquest shall also apply for the appointment of a conservator, and the
16 necessity for the appointment of such conservator, shall first be found by
17 the jury, and such trial shall be had before a jury composed of twelve
18 jurors."

19 "Section 25. That said conservator when so appointed shall give bond, qualify,
20 have the same power and discharge the same duties as are now required
21 by law of conservators in other cases."

22 "Section 26. When any person for whom a conservator has been appointed as
23 aforesaid, shall be discharged from any hospital in which he or she may have
24 been confined, and shall be restored to reason so as to be able to manage
25 and control his or her property, such person may file his petition in writing
26 in the county court of the county in which such conservator was appointed,
27 to have such conservator removed and the care and management of his
28 property restored to him."

29 "Section 27. Notice of such application shall be given by service of summons
30 as in other cases, ten days before the commencement of the term of court
31 to which application shall be made."

32 "Section 28. It shall be the duty of the court to which any such application
33 is made on proof that such conservator has been duly notified of such
34 application, to cause a jury to be summoned to try the issue whether such
35 applicant is so far restored to reason as to be a fit person to have the
36 custody and control of his property, and if the jury returns in their verdict
37 that such person is fit to have the custody of his property as aforesaid,
38 the court shall enter an order removing such conservator and fully restoring
39 such person to all rights and privileges enjoyed by him before the appoint-
40 ment of such conservator. *Provided*, That such conservator so removed
41 shall be allowed a reasonable time to settle his accounts as such, and pay
42 all debts contracted by him and pass over the money or property remaining
43 in his hands, and such removal shall not invalidate any contracts made in
44 good faith by such conservator while acting as such."

45 "Section 29. The costs of proceedings under this act for the removal of con-

1. Introduced by Mr. Southworth, January 11, 1887, and ordered to first reading.
2. First reading January 11, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back, passage recommended, and ordered to second reading.
4. Second reading May 6, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, be amended by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended so as to read as follows: An act to revise the law in relation to the commitment and detention of lunatics, and to provide for the appointment of, and removal of, conservators.*

9 "Section 24. That when it shall appear to the court upon any trial wherein
10 any person may be adjudged insane under the act to which this is an amendment,
11 that any such person is the owner or possessed of any property either real
12 or personal, which in the opinion of such court is in danger of waste or
13 depreciation, it shall be the duty of the court to appoint some fit person to
14 be the conservator of such insane person. *Provided, That the petition for*

15 an inquest shall also apply for the appointment of a conservator, and the
16 necessity for the appointment of such conservator, shall first be found by
17 the jury, and such trial shall be had before a jury composed of twelve
18 jurors."

19 "Section 25. That said conservator when so appointed shall give bond, qualify,
20 have the same power and discharge the same duties as are now required
21 by law of conservators in other cases."

22 "Section 26. When any person for whom a conservator has been appointed as
23 aforesaid, shall be discharged from any hospital in which he or she may have
24 been confined, and shall be restored to reason so as to be able to manage
25 and control his or her property, such person may file his petition in writing
26 in the county court of the county in which such conservator was appointed,
27 to have such conservator removed and the care and management of his
28 property restored to him."

29 "Section 27. Notice of such application shall be given by service of summons
30 as in other cases, ten days before the commencement of the term of court
31 to which application shall be made."

32 "Section 28. It shall be the duty of the court to which any such application
33 is made on proof that such conservator has been duly notified of such
34 application, to cause a jury to be summoned to try the issue whether such
35 applicant is so far restored to reason as to be a fit person to have the
36 custody and control of his property, and if the jury returns in their verdict
37 that such person is fit to have the custody of his property as aforesaid,
38 the court shall enter an order removing such conservator and fully restoring
39 such person to all rights and privileges enjoyed by him before the appoint-
40 ment of such conservator. *Provided*, That such conservator so removed
41 shall be allowed a reasonable time to settle his accounts as such, and pay
42 all debts contracted by him and pass over the money or property remaining
43 in his hands, and such removal shall not invalidate any contracts made in
44 good faith by such conservator while acting as such."

45 "Section 29. The costs of proceedings under this act for the removal of con-

1. Introduced by Mr. Southworth, January 11, 1887, and ordered to first reading.
 2. First reading January 11, 1887, and referred to Committee on State Charitable Institutions.
 3. Reported back, passage recommended, and ordered to second reading.
 4. Second reading May 6, 1887, amended, and ordered to third reading.
-

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections, to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. Be it enacted by the People of the State of Illinois, represented
2 *in the General Assembly, That "An act to revise the law in relation to the*
3 *commitment and detention of lunatics," approved March 21, 1874, in force*
4 *July 1, 1874, be amended by adding additional sections, to be known as*
5 *sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended so as*
6 *to read as follows: An act to revise the law in relation to the commit-*
7 *ment and detention of lunatics, and to provide for the appointment of, and*
8 *removal of, conservators.*
9 "Section 24. That when it shall appear to the court upon any trial wherein
10 any person may be adjudged insane under the act to which this is an amendment,
11 that any such person is the owner or possessed of any property either real
12 or personal, which in the opinion of such court is in danger of waste or
13 depreciation, it shall be the duty of the court to appoint some fit person to
14 be the conservator of such insane person. *Provided, That the petition for*

15 an inquest shall also apply for the appointment of a conservator, and the
16 necessity for the appointment of such conservator, shall first be found by
17 the jury, and such trial shall be had before a jury composed of twelve
18 jurors."

19 "Section 25. That said conservator when so appointed shall give bond, qualify,
20 have the same power and discharge the same duties as are now required
21 by law of conservators in other cases."

22 "Section 26. When any person for whom a conservator has been appointed as
23 aforesaid, shall be discharged from any hospital in which he or she may have
24 been confined, and shall be restored to reason so as to be able to manage
25 and control his or her property, such person may file his petition in writing
26 in the county court of the county in which such conservator was appointed,
27 to have such conservator removed and the care and management of his
28 property restored to him."

29 "Section 27. Notice of such application shall be given by service of summons
30 as in other cases, ten days before the commencement of the term of court
31 to which application shall be made."

32 "Section 28. It shall be the duty of the court to which any such application
33 is made on proof that such conservator has been duly notified of such
34 application, to cause a jury to be summoned to try the issue whether such
35 applicant is so far restored to reason as to be a fit person to have the
36 custody and control of his property, and if the jury returns in their verdict
37 that such person is fit to have the custody of his property as aforesaid,
38 the court shall enter an order removing such conservator and fully restoring
39 such person to all rights and privileges enjoyed by him before the appoint-
40 ment of such conservator. *Provided*, That such conservator so removed
41 shall be allowed a reasonable time to settle his accounts as such, and pay
42 all debts contracted by him and pass over the money or property remaining
43 in his hands, and such removal shall not invalidate any contracts made in
44 good faith by such conservator while acting as such."

45 "Section 29. The costs of proceedings under this act for the removal of con-

46 servators including the fees of the jury, shall be taxed against such con-
47 servator, to be paid by him out of the money or property in his hands."
48 "Section 30. Appeals shall be allowed to the circuit court from any order or
49 judgment made or rendered under this act upon the applicant giving such
50 bond and security within such time as the court may direct."

1 Reserved from House March 22, 1887, and ordered to first reading.

2 First reading, April 7, 1887, ordered to second reading, and to be printed.

A BILL

For An Act to amend section one hundred and nine (109) of an act entitled "An
Act to extend the jurisdiction of County Courts and to provide for the
practice thereof, to fix the time of holding the same and to repeal an act
therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section one hundred and nine (109) of an act
3 entitled "An act to extend the jurisdiction of County Courts and to provide
4 for the practice thereof, to fix the time for holding the same, and to repeal
5 an act therein named," approved March 26, 1874, in force July 1, 1874, be
7 so amended as to read as follows:

Section 109. Woodford, October, February and June."

1. Introduced by Mr. Streeter, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 4, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the sale of intoxicating liquors within two miles of any incorporated town or village, church, school house or fair ground.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.* That whoever not having a license to keep a dram
3 shop, or as a druggist to sell for medical purposes only, shall, within two
4 miles of any incorporated town or village, school house, church, or fair grounds,
5 by himself or another, either as principal, clerk, or servant, directly or
6 indirectly, sell any intoxicating liquor in any less quantity than five gallons
7 and in original packages as put up by the manufacturer, shall for each
8 offense be fined not less than fifty, nor more than one hundred dollars, or
9 imprisoned in the county jail not less than forty nor more than ninety days,
10 or both, at the discretion of the court.

§ 2. The giving away of intoxicating liquors or other shift or devise to evade
2 the provisions of this act, shall be held to be an unlawful selling.

§ 3. Any person violating the provisions of this act may be arrested upon
2 view or upon warrant by any sheriff, coroner, constable, or other officer
3 authorized to make arrests, and such officer may also seize the booth, tent,
4 wagon, vessel or boat and articles to be sold and convey the same before a
5 justice of the peace with the offender, and upon a judgment being rendered

6 against the offender, it shall be enforced in the same manner as other
7 judgments are recovered before justices of the peace, except as provided
8 herein.

§ 4. Any fine or imprisonment mentioned in this act may be enforced by
2 indictment in any court of record having criminal jurisdiction, or the fine
3 above may be sued for and recovered before any justice of the peace of the
4 proper county in the name of the people of the State of Illinois, and in case
5 of conviction, the officer shall stand committed to the county jail until the
6 costs and judgment are fully paid.

§ 5. In all prosecutions under this act, by indictment or otherwise, it
2 shall not be necessary to state the kind of liquor sold, or to describe the
3 place where sold, nor to show the knowledge of the principal to convict for
4 the acts of an agent or servant, nor to state the name of any person to
5 whom liquor is sold, and in all cases the person to whom intoxicating
6 liquors shall be sold in violation of this act, shall be competent witnesses;
7 *Provided*, this act shall not affect distillers and other manufacturers exercising
8 their calling at their places of business, or in the delivery of their products
9 to customers, or to wholesale dealers, or to bottlers of liquors when engaged
10 in such business within the limits of any incorporated city, town or village.

1. Introduced by Mr. Streeter, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 4, 1887, passage recommended and ordered to second reading.
4. Second reading March 10, 1887, amended, and ordered to a third reading.

A BILL

For An Act to regulate the sale of intoxicating liquors within two miles of any incorporated town or village, church, school house or fair ground.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That whoever not having a license to keep a dram shop, or as a druggist to sell for medical purposes only, shall, within two miles of any incorporated town or village, school house, church or fair grounds, or the premises occupied thereby, by himself or another, either as principal, clerk or servant, directly or indirectly, sell any intoxicating liquor in any less quantity than five gallons and in original packages as put up by the manufacturer, shall for each offense be fined not less than fifty nor more than one hundred dollars, or imprisoned in the county jail not less than ten nor more than ninety days, or both, at the discretion of the court.

§ 2. The giving away of intoxicating liquors or any shift or device to evade the provisions of this act, shall be held to be unlawful selling.

§ 3. Any person violating the provisions of this act may be arrested upon view, or upon warrant by any sheriff, coroner, constable or other officer authorized to make arrests, and such officer may also seize the booth, tent, wagon, vessel or boat and articles to be sold and convey the same before a justice of the peace with the offender, and upon judgment being

6 rendered against the offender it shall be enforced in the same manner as
7 other judgments are recovered before justices of the peace, except as pro-
8 vided herein.

§ 4. Any fine or imprisonment mentioned in this act may be enforced
2 by indictment in any court of record having criminal jurisdiction, or the
3 fine above may be sued for and recovered before any justice of the peace
4 of the proper county in the name of the People of the State of Illinois,
5 and in case of conviction the offender shall stand committed to the county
6 jail until the costs and judgment are fully paid.

§ 5. In all prosecutions under this act by indictment or otherwise, it shall
2 not be necessary to state the kind of liquor sold, or to describe the place
3 where sold, nor to show the knowledge of the principal to convict for the
4 acts of an agent or servant, nor to state the name of any person to whom
5 liquor is sold, and in all cases the persons to whom intoxicating liquors
6 shall be sold in violation of this act, shall be competent witnesses: *Provided,*
7 this act shall not affect distillers and other manufacturers exercising their
8 calling at their places of business, or in the delivery of their products to
9 customers, or to wholesale dealers, or bottlers of liquors when engaged in
10 such business within the limits of any incorporated city, town or village.

1. Introduced by Mr. Streeter, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Judiciary.
3. Reported back February 3, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two hundred and thirty-seven, of division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section two hundred and thirty-seven, of division
3 one, of an act entitled "An act to revise the law in relation to criminal
4 jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the
5 same is amended so as to read as follows:

6 "Section 237. Rape is the carnal knowledge of a female, forcibly and against
7 her will. Every male person of the age of fourteen years and upward, who
8 shall have carnal knowledge of any female person under the age of fourteen
9 years, either with or without her consent, shall be adjudged to be guilty of
10 the crime of rape. Every person convicted of the crime of rape shall be
11 imprisoned in the penitentiary for a term not less than three years, and
12 may extend to life."

AMENDMENT RECOMMENDED BY COMMITTEE ON JUDICIARY.

Amend by striking out of written bill in next to the last line the words
2 "three years" and insert the words "one year."

1. Introduced by Mr. Streeter, January 12, 1887, and ordered to first reading.
 2. First reading January 12, 1887, and referred to Committee on Judiciary.
 3. Reported back February 3, 1887, with amendment, passage recommended, and ordered to second reading.
 4. Second reading February 17, 1887, amended, and ordered to a third reading.
-

A BILL

For An Act to amend section two hundred and thirty-seven, of division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two hundred and thirty-seven, of division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the same is amended so as to read as follows:

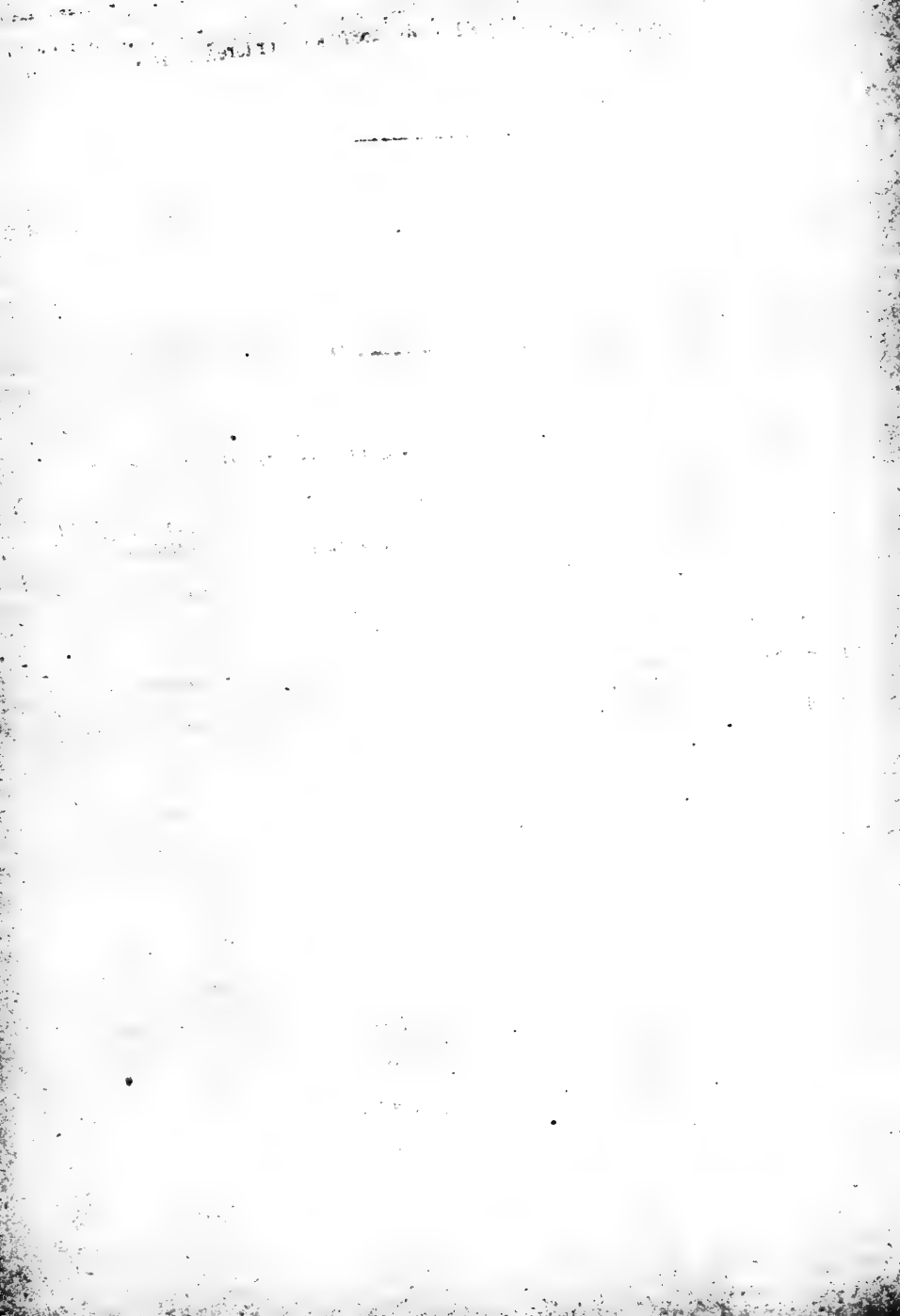
"Section 237. Rape is the carnal knowledge of a female, forcibly and against her will. Every male person of the age of sixteen years and upward, who shall have carnal knowledge of any person under the age of fourteen years, either with or without her consent, shall be adjudged to be guilty of the crime of rape. Every person convicted of the crime of rape shall be imprisoned in the penitentiary for a term not less than one year, and may extend to life."

1. Received from House April 14, 1887, and ordered to first reading.
2. First reading April 27, 1887, and ordered to a second reading without reference.

A BILL

For An Act to prohibit book-making and pool-selling.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That any person who keeps any room, shed,
3 tenement, tent, booth, or building, or any part thereof, or who occupies any place
4 upon any public or private grounds within this State with any book;
5 instrument or device for the purpose of recording or registering bets or
6 wagers, or of selling pools, or any person who records or registers bets or
7 wagers, or sells pools, upon the result of any trial or contest of skill, speed
8 or power of endurance of man or beast, or upon the result of any politi-
9 cal nomination, appointment or election; or being the owner, lessee or occu-
10 pant of any room, shed, tenement, tent, booth, or building, or part thereof, know-
11 ingly permits the same to be used or occupied for any of these purposes, or
12 therein keeps, exhibits or employs any device or apparatus for the purpose of
13 recording or registering such bets or wagers, or selling of such pools, or becomes
14 the custodian or depository for hire, or privilege, of any money, property,
15 or thing of value staked, wagered or pledged upon any such result, shall be
16 punishable by imprisonment in the county jail for a period not longer than
17 one year, or by fine not exceeding \$2,000, or both.



AMENDMENT TO HOUSE BILL No. 12,

Being a bill for an act to prohibit book-making and pool-selling.

Amend the bill by adding to the end of section one after the word "both,"
2 the following: "*Provided, however, that the provisions of this act shall not*
3 *apply to the actual enclosure of fair or race track associations that are incor-*
4 *porated under the laws of this State, during the actual time of the meetings*
5 *of said associations, or within twenty-four hours before any such meetings.*"

1. Introduced by Mr. Bacon, of Edgar, January 12, 1887.
2. First reading January 12, 1887, and referred to Committee on Judiciary.
3. Reported back February 2, 1887, and ordered to be printed for information.

A BILL.

For An Act to amend sections seventy (70), eighty-two (82), and eighty-three (83), of "An Act in regard to elections, and to provide for filling vacancies in elective offices," in force July 1, 1872, the same being chapter forty-six (46) of the Revised Statutes of the State of Illinois, A. D. 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections seventy, eighty-two and eighty-three
3 of "An Act in regard to elections and to provide for filling vacancies in
4 elective offices," in force July 1, 1872, the same being chapter forty-six of
5 the Revised Statutes of the State of Illinois, A. D., 1874, be and the same
6 are hereby amended so as to read as follows:

7 "Section 70. No person who has been legally convicted of any crime, the
8 punishment of which is confinement in the penitentiary, or who shall be con-
9 victed and sentenced under section eighty-three of this act, shall be per-
10 mitted to vote at any election, unless he shall be restored to the right to
11 vote by pardon, or by the expiration of the term of his disfranchisement
12 under section eighty-three of this act."

13 "Section 82. Whoever aids or abets anyone not legally qualified to vote
14 at an election, in voting or attempting to vote at such election; or

15 *Second*—Furnishes an elector with a ticket or ballot informing him that it
16 contains a name different from that which appears thereon, with intent to
17 induce him to vote contrary to his inclinations: or

18 *Third*—Changes a ballot of an elector, with intent to deprive such elector
19 of voting for such person as he intended; or

20 *Fourth*—By unlawful means prevents or attempts to prevent any voter
21 from attending or voting at an election; or

22 *Fifth*—Gives or offers to give any valuable thing or bribe to any judge or
23 clerk of an election, as a consideration for some act to be done or omitted to
24 be done contrary to his official duty in relation to such election, shall on
25 conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in
26 the county jail not exceeding one year, or both, in the discretion of the
27 court. And any judge or clerk who shall receive, request or demand any
28 bribe or reward forbidden by this act, shall upon conviction, be liable to the
29 same penalties as are prescribed in this act for the giving or offering to give
30 such bribe or reward."

31 "Section 83. Any person who shall solicit, request, demand or receive,
32 directly or indirectly, any money, intoxicating liquor or other thing of value,
33 or the promise thereof, either to influence his vote, or to be used, or under
34 the pretense of being used to procure the vote of any other person or per-
35 sons, or to be used at any poll or other place prior to or on the day of an
36 election for or against any candidate for office, or for or against any measure
37 or question to be voted upon at such election, shall be deemed guilty of the
38 infamous crime of bribery in elections, and upon conviction thereof, in any
39 court of record, shall be sentenced to disfranchisement by the judge of such
40 court for a term of not less than five nor more than fifteen years, and
41 to pay the cost of prosecution, and stand committed to the county jail until
42 such costs shall be fully paid. That for a conviction of a second offense,
43 under this section, the first being alleged and proved, such second offender
44 shall be by the sentence of the court forever thereafter disfranchised and
45 deprived of the right to vote at an election in this State, and be committed
46 to jail in default of payment of costs of prosecution, until such costs are
47 fully paid. Prosecutions may be had under this section by indictment in
48 the circuit court, or by information in the county courts, and the effect of

49 a sentence of disfranchisement in either of said courts, both having jurisdic-
 50 tion of offenses hereunder, shall be to deprive such persons sentenced of the
 51 right to vote at any general or special election or town meeting within this
 52 State for the period of time fixed by the court where such person shall be
 53 convicted under this section. Any candidate or other person paying, furnish-
 54 ing or promising to pay or furnish or bribing such person with money, intox-
 55 icating liquor or other thing of value, or the promise thereof shall not be
 56 liable to punishment therefor, but shall be a competent witness and com-
 57 pelled to testify in prosecutions under this section. Solicitation by any
 58 person of a loan of money, or the purchase of anything of value, or of
 59 liquor by the drink or treat, to influence or effect his vote, or any other
 60 subterfuge, shall be deemed a violation hereof."

61 *Second*—Any person who shall have been legally convicted and disfran-
 62 chised by a court of competent jurisdiction who shall, before the expiration
 63 of his term of disfranchisement, vote or offer to vote at any general or spe-
 64 cial election, or town meeting within this State, shall, upon indictment and
 65 conviction thereof in court of competent jurisdiction, be confined in the
 66 penitentiary for a term of years not less than one, nor more than ten
 67 years."

§ 2. All acts or parts of acts inconsistent herewith, are hereby repealed.

1. Introduced by Mr. Bacon, of Edgar, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Judiciary.
3. Reported back February 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections seventy (70), eighty-two (82) and eighty-three (83) of "An Act in regard to elections and to provide for filling vacancies in elective offices," in force July 1, 1872, the same being chapter forty-six (46) of the Revised Statutes of the State of Illinois, A. D. 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections seventy, eighty-two and eighty-three
3 of "An act in regard to election and to provide for filling vacancies in
4 elective offices," in force July 1, 1872, the same being chapter forty-six of
5 the Revised Statutes of the State of Illinois, A. D., 1874, be, and the
6 same are hereby amended so as to read as follows:

7 "Section 70. No person who has been legally convicted of any crime,
8 the punishment of which is confinement in the penitentiary, or who shall
9 be convicted and sentenced under section eighty-three of this act, shall
10 be permitted to vote at any election, unless he shall be restored to the
11 right to vote by pardon, or by the expiration of the term of his disfran-
12 chisement under section eighty three of this act."

13 "Section 82. Whoever aids or abets any one not legally qualified to
14 vote at an election, in voting or attempting to vote at such election; or

15 *Second—*Furnishes an elector with a ticket or ballot informing him that
16 it contains a name different from that which appears thereon, with intent
17 to induce him to vote contrary to his inclinations; or

18 *Third*—Changes a ballot of an elector, with intent to deprive such elector
19 of voting for such person as he intended; or

20 *Fourth*—By unlawful means prevents or attempts to prevent any voter
21 from attending or voting at an election; or

22 *Fifth*—Gives or offers to give any valuable thing or bribe to any judge
23 or clerk of an election, as a consideration for some act to be done or
24 omitted to be done contrary to his official duty in relation to such elec-
25 tion, shall, on conviction thereof, be fined in a sum not exceeding \$1,000,
26 or imprisoned in the county jail not exceeding one year, or both, in the
27 discretion of the court. And any judge or clerk who shall receive, re-
28 quest or demand any bribe or reward forbidden by this act, shall, upon
29 conviction, be liable to the same penalties as are prescribed in this act
30 for the giving or offering to give such bribe or reward."

31 "Section 83. Any person who shall solicit, request, demand or receive,
32 directly or indirectly, any money, intoxicating liquor or other thing of
33 value, or the promise thereof, either to influence his vote, or to be used,
34 or under the pretense of being used to procure the vote of any other
35 person or persons, or to be used at any poll or other place prior to or on
36 the day of an election for or against any candidate for office or for or
37 against any measure or question to be voted upon at such election, shall
38 be deemed guilty of the infamous crime of bribery in elections, and upon
39 conviction thereof, in any court of record, shall be sentenced to disfran-
40 chisement by the judge of such court for a term of not less than five
41 nor more than fifteen years, and to pay the cost of prosecution and stand
42 committed to the county jail until such costs shall be fully paid. That
43 for a conviction of a second offense, under this section, the first being
44 alleged and proven, such second offender shall be by the sentence of the
45 court forever thereafter be disfranchised and deprived of the right to vote
46 at an election in this State, and be committed to jail in default of pay-
47 ment of costs of prosecution until such costs are fully paid. Prosecutions
48 may be had under this section by indictment in the circuit court, or by
49 information, in the county courts and the effect of a sentence of disfran-

3

50 chisement in either of said courts, both having jurisdiction of offenses
51 hereunder, shall be to deprive such person sentenced of the right to vote
52 at any general or special election or town meeting within this State for
53 the period of time fixed by the court where such person shall be convicted
54 under this section. Any candidate or other person paying, furnishing or
55 promising to pay or furnish or bribing such person with money, intoxicating
56 liquor or other thing of value, or the promise thereof shall not be liable
57 to punishment therefor, but shall be a competent witness and compelled
58 to testify in prosecution under this section. Solicitation by any person of
59 a loan of money, or the purchase of anything of value, or of liquor by
60 the drink or treat, to influence or effect his vote, or any other subter-
61 fuge, shall be deemed a violation hereof.

62 *Second*—Any person who shall have been legally convicted and disfran-
63 chised by a court of competent jurisdiction who shall, before the expira-
64 tion of his term of disfranchisement, vote or offer to vote at any general
65 or special election, or town meeting within this State, shall, upon indict-
66 ment and conviction thereof in a court of competent jurisdiction, be con-
67 fined in the penitentiary for a term of years not less than one, nor more
68 than ten years."

§ 2. All acts or parts of acts inconsistent herewith, are hereby repealed.

1. Introduced by Mr. Bacon, of Edgar, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Judiciary.
3. Reported back February 25, 1887, passage recommended, and ordered to second reading.
4. Second reading March 9, 1887, amended and ordered to third reading.

A BILL

For An Act to amend sections seventy (70), eighty-two (82) and eighty-three (83) of "An act in regard to elections and to provide for filling vacancies in elective offices," in force July 1, 1872, the same being chapter forty-six (46) of the Revised Statutes of the State of Illinois, A. D. 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly:* That sections seventy, eighty-two and eighty-three
3 of "An act in regard to elections and to provide for filling vacancies in
4 elective offices," in force July 1, 1872, the same being chapter forty-six of
5 the Revised Statutes of the State of Illinois, A. D., 1874, be and the same
6 are hereby amended so as to read as follows:

7 "Section 70. No person who has been legally convicted of any crime, the
8 punishment of which is confinement in the penitentiary, or who shall be con-
9 victed and sentenced under section eighty-three of this act, shall be per-
10 mitted to vote at any election, unless he shall be restored to the right to vote
11 by pardon, or by the expiration of the term of his disfranchisement under
12 section eighty-three of this act.

13 "Section 82. Whoever wilfully aids or abets anyone not legally qualified to
14 vote at an election in voting or attempting to vote at such election; or

15 *Second*—Furnishes an elector with a ticket or ballot informing him that it

16 contains a name different from that which appears thereon, with intent to
17 induce him to vote contrary to his inclinations; or

18 *Third*—Changes a ballot of an elector, with intent to deprive such elector
19 of voting for such person as he intended; or

20 *Fourth*—By unlawful means prevents or attempts to prevent any voter from
21 attending or voting at an election; or

22 *Fifth*—Gives, or offers to give, any valuable thing or bribe to any judge or
23 clerk of an election, as a consideration for some act to be done or omitted to
24 be done contrary to his official duty in relation to such election, shall on
25 conviction thereof be fined in a sum not exceeding \$1,000, or imprisoned in
26 the county jail not exceeding one year, or both, in the discretion of the
27 court. And any judge or clerk who shall receive, request or demand any
28 bribe or reward forbidden by this act, shall upon conviction, be liable to the
29 same penalties as are prescribed in this act for the giving or offering to give
30 such bribe or reward.

31 "Section 83. Any person who shall solicit, request, demand or receive,
32 directly or indirectly, any money, intoxicating liquor or other thing of value,
33 or the promise thereof, either to influence his vote, or to be used, or under
34 the pretense of being used to procure the vote of any other person or per-
35 sons, or to be used at any poll or other place prior to or on the day of an
36 election for or against any candidate for office, or for or against any measure
37 or question to be voted upon at such election, shall be deemed guilty of the
38 infamous crime of bribery in elections, and upon conviction thereof in any
39 court of record, shall be sentenced to disfranchisement by the judge of such
40 court for a term of not less than five nor more than fifteen years, and to the
41 county jail not less than three months nor more than one year, and to pay
42 the cost of prosecution and stand committed to the county jail until such
43 costs shall be fully paid. That for a conviction of a second offense under
44 this section, the first being alleged and proven, such second offender shall be
45 by the sentence of the court forever thereafter disfranchised and deprived of
46 the right to vote at an election in this State, and be imprisoned in the county
47 jail not less than one year, and be committed to jail in default of payment

48 of costs of prosecution until such costs are fully paid. Prosecutions may be
 49 had under this section by indictment in the circuit court, or by information
 50 in the county courts, and the effect of a sentence of disfranchisement in either
 51 of said courts, both having jurisdiction of offenses hereunder, shall be to
 52 deprive such persons sentenced of the right to vote at any general or special
 53 election, or town meeting within this State for the period of time fixed by
 54 the court where such person shall be convicted under this section. Any can-
 55 didate or other person paying, furnishing or promising to pay or furnish or
 56 bribing such person, with money, intoxicating liquor or other thing of value,
 57 or the promise thereof, shall not be liable to punishment therefor, but shall
 58 be a competent witness and compelled to testify in prosecutions under this
 59 section. Solicitation by any person of a loan of money, or the purchase of
 60 anything of value, or of liquor by the drink or treat to influence or effect his
 61 vote, or any other subterfuge, shall be deemed a violation hereof.

62 *Second*—Any person who shall have been legally convicted and disfranchised
 63 by a court of competent jurisdiction who shall before the expiration of his
 64 term of disfranchisement, vote or offer to vote at any general or special elec-
 65 tion, or town meeting within this State, shall, upon indictment and conviction
 66 thereof in a court of competent jurisdiction, be confined in the penitentiary
 67 for a term of years not less than one, nor more than ten years."

§ 2. All acts or parts of acts inconsistent herewith are hereby repealed.

1. Received from House May 9, 1887, and ordered to first reading.
2. First reading May 9, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend sections eight (8), nine (9), fifteen (15), sixteen (16), and twenty-four (24) of an act entitled "An Act to remedy the evils consequent upon the destruction of any public records by fire or otherwise," approved and in force April 9, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That* sections 8, 9, 15, 16 and 24 of an act
3 entitled "An act to remedy the evils consequent upon the destruction of
4 any public records by fire or otherwise," approved and in force April 9,
5 1872, shall be and are hereby amended so that said sections as amended
6 shall read respectively as follows:

7 "Section 8. It shall be the duty of the judges of the circuit court of
8 the county, or the judges of the circuit and superior courts of Cook
9 county, to examine into the state of the records in such county, and in
10 case they find any abstracts, copies, minutes or extracts from said records
11 existing after such destruction as aforesaid, and find that said abstracts,
12 minutes or extracts were fairly made before the destruction of the records
13 by any person or persons, in the ordinary course of business, and that
14 contain a material and substantial part of said records, the said circuit
15 judge of the county, or the judges of the circuit or superior courts of
16 Cook county, shall certify the facts found by them in respect to such
17 abstracts, copies, minutes and extracts, and the said judges of said county,
18 or the judges of the circuit or superior courts of Cook county, shall

19 cause all evidence produced as to said abstract books to be reduced to
20 writing, and shall cause all such evidence to be spread of record, as a
21 part of the order of said court. And also (if they are of that opinion)
22 that such abstract copies, minutes and extracts tend to show a connected
23 chain of title to the land in said county, and upon filing of a certificate
24 of such circuit judge or the judges of the circuit and superior courts of
25 Cook county, with the county clerk of the proper county, the county board
26 may, with the approval of the judge of the circuit court of the county or
27 judges of the circuit and superior courts of Cook county, purchase from
28 the owners thereof such abstract copies, minutes or extracts, or such part
29 thereof as may tend to show a connected chain of title to the land in
30 such county, including all such judgments and decrees as form part of any
31 such chain of title, paying therefor such fair and reasonable price as may
32 be agreed upon between them and such owners, the amount thus agreed
33 to be paid for such abstracts, copies, minutes or extracts shall be paid
34 by such county in money or in bonds, to be issued by such county, as
35 the county board may determine, or such county board may, with said
36 approval, procure a copy of said abstracts, copies, minutes and extracts,
37 instead of the original, to be paid for in like manner: *And it is further*
38 *provided*, that any owner of said abstracts, copies or minutes shall have
39 the right to file a petition at any regular term of the circuit court of
40 the proper county, in which petition he or they shall set forth the man-
41 ner in which such abstracts, copies or minutes were made or procured,
42 and if the court shall find from the evidence produced (which
43 evidence shall be preserved as hereinbefore provided) that said
44 abstracts, copies or minutes were fairly made in the regular
45 course of business before such destruction of the records, the court
46 shall enter his decree to that effect, and the evidence produced on the
47 trial of said cause entered of record at large as a part of the decree of
48 the court. And thereupon said abstracts, copies, or minutes, of said
49 burnt records shall be taken as *prima facie* evidence of all such matters

80 as they contain (but no such abstracts, copies, minutes or extracts shall
81 be taken or held to be *prima facie* evidence of what they contain that
82 does not purport to recite all deeds and mortgages previously executed and
83 recorded, and describing the several tracts of lands and town lots to
84 which said abstracts, copies, minutes or extracts refer from the date of
85 entry): *Provided, further*, that all abstracts to separate tracts of lands
86 made by the owner of said abstracts, copies, minutes or extracts shall
87 also be taken and held as *prima facie* evidence of what they contain
88 when they shall be accompanied with an affidavit signed and sworn to
89 by the owner or owners of said abstracts, copies, minutes or extracts,
90 showing that said separate abstracts contain a full, true and perfect copy
91 of all transfers on the tract or tracts set forth in said separate abstracts
92 as appears upon said abstracts, copies, minutes or extracts, as established
93 by the circuit court of county, on the day of
94 A. D....., and that said separate abstracts contain all deeds, mortgages
95 and other liens on said separate tracts, as shown by said abstracts, copies,
96 minutes or extracts established as aforesaid.

97 "Section 9. Said abstracts, copies, minutes and extracts, or said copy
98 thereof, if so brought as aforesaid, shall thereupon be placed in the re-
99 corder's office of such county, to be copied or arranged in such form as
70 the county board shall deem best for the public interest, and in case
71 the originals have been lost or destroyed, or not in the power of the
72 party asking to use the same on any trial or other proceeding, copies of
73 the same or any part thereof, duly certified by the recorder of deeds of
74 such county, shall be admissible as evidence in all the courts of law
75 and equity in this State. And it shall be the duty of the recorder of
76 deeds of such county to furnish to any and all parties requesting it
77 (upon being paid the charges herein provided for), certified copies of the
78 same, or parts thereof; and for the purpose of repaying the cost of the
79 same to the county, the county board may fix a compensation, to be
80 paid to the county, in addition to the fees allowed by law to the re-

81 order for transcribing the same. In all cases in which any abstracts,
82 copies, minutes and extracts, or copies thereof, shall be received in evi-
83 dence under any of the provisions of this act, all deeds or other instru-
84 ments of writing appearing thereby to have been executed by any person
85 or persons, or in which they appear to have joined, shall (except as
86 against any person or persons in the actual possession of the lands or
87 lots described therein at the time of the destruction of the records of
88 such county, claiming title thereto otherwise than under a sale for taxes
89 or special assessments,) be presumed to have been executed and acknowledged
90 according to law; and all sales under powers, and all judgments,
91 decrees and legal proceedings, and all sales thereunder (sales for
92 the taxes and assessments, and judgments and proceedings
93 for the enforcement of taxes and assessments excepted,) shall be pre-
94 sumed to be regular and correct, except as against the person or persons in
95 this section before mentioned, and any person alleging any defect or irregu-
96 larity in any such conveyance, acknowledgment, sale, judgment, decree or
97 legal proceeding shall be held bound to prove the same, and any deed proved
98 under the provisions of this act purporting to be based upon the execution
99 of any power or upon a judgment or decree shall be *prima facie* evidence
100 of the existence of such power, judgment or decree: *Provided*, that nothing
101 in this act contained shall impair the effect of said destroyed record as
102 notice.

103 "Section 15. It shall be competent for said courts, in all such decrees,
104 whether *pro confesso* or on the report of any master or special commis-
105 sioner, or otherwise, to determine and decree in whom the title in any
106 or all of the lands described in said petition is vested, whether in the
107 petitioner, or in any other of the parties before the court; but said de-
108 cree shall not in any wise affect any lien or liens to which said fee may
109 be subject, and which have been created since the destruction of such
110 records, whether the same be by mortgage, deed of trust, judgment,
111 statute, mechanics' lien, or otherwise, but shall leave all such liens to be

112 ascertained or established in some other proceeding, or to be enforced as
113 the parties holding them may see fit.

114 "Section 16. Said decree of said court, when entered, shall be forever
115 binding and conclusive: *Provided*, that any decree shall be subject to be
116 opened, modified, vacated or set aside on appeal or writ of error, sued
117 within two years after the entry of such decree: *And, provided, further*,
118 that insane persons and minors shall have two years after their disabili-
119 ties are removed to prosecute a writ of error upon said decree: *Provided*,
120 *further*, that any decree entered upon any petition or cross-petition, which
121 does not make defendant, by name, all persons who shall be in possession
122 of such lands or any part thereof, at the time of the filing of such
123 petition or which does not make defendant, by name, all persons to
124 whom any such lands shall have been conveyed, and the deed or deeds
125 of such conveyance shall have been recorded in the office of the recorder
126 deeds of such county since the time of the destruction of the records, as
127 as aforesaid, and prior to the time of the filing of any such petition,
128 shall be absolutely void as to such person omitted, but shall be final
129 and conclusive as to all others: *And provided, further*, that all defend-
130 ants who shall not be actually served with a summons in the suit in
131 which such decree may be rendered, shall have allowed to them one year
132 after the entry of such decree within which, upon petition to the court
133 rendering the same, to have the said decree vacated and set aside in the
134 same manner as is now allowed to defendants under section 19 of chap-
135 ter 22 of the Revised Statutes entitled "Chancery."

136 "Section 24. Whenever, upon the trial of any suit or proceeding which
137 is now or hereafter may be pending in any court in this State any
138 party to such proceeding, or his agent, or his attorney, in
139 his behalf, shall orally in court, or 'by affidavit to be filed in such
140 cause, testify and state under oath that the originals of any deeds or
141 other instrument in writing, or records of any court relating to any lands,
142 the title or any interest therein, being in controversy in such suit or

143 proceeding, are lost or destroyed, or not within the power of the party
144 to produce the same, and that the records thereof are destroyed by fire
145 or otherwise, it shall be lawful for such party to offer, and the court
146 shall receive, as evidence, any abstract of title, or letter-press copy thereof,
147 made in the ordinary course of business prior to such loss or destruc-
148 tion, and it shall be lawful for any such party to offer, and the court
149 shall receive, as evidence, any copy, extracts or minutes from such de-
150 stroyed records, or from the originals thereof, which were, 'at the date
151 of such destruction or loss, in the possession of persons then engaged in
152 the business of making abstracts of title for others for hire. A sworn
153 copy of any writing admissible under this section made by the person or
154 persons having possession of such writing, shall be admissible in evidence
155 in like manner, and with like effect, as such writing, provided the party
156 desiring to use such sworn copy as evidence shall have given the oppos-
157 its party a reasonable opportunity to verify the correctness of such
158 copy.

1. Introduced by Mr. Thompson January 12, 1887, and ordered to first reading.
 2. First reading January 12, 1887, and referred to Committee on Judiciary.
 3. Reported back with amendments, passage recommended, and ordered to second reading.
-

A BILL.

For An Act to amend section 192 of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 192 of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be amended to read as follows:*

"Section 192. There may be a police magistrate elected at a regular annual election in each village, who shall give bonds, qualify and have the same jurisdiction as other justices of the peace, and hold his office for four years and until his successor is elected and qualified: *Provided*, that in all suits for the violation of any ordinance of any village whose incorporated limits shall include parts of two or more counties, the jurisdiction of all justices of the peace and police magistrates in such village shall extend to and be concurrent with the incorporated limits of such village: *Provided*, that all appeals in such cases shall be taken to the courts of the county in which the offense was committed."

AMENDMENT.

First—Amend the title to the bill so as to read as follows:

- 2 An act to amend section fifteen of division eleven of an act entitled "An

3 act to provide for the incorporation of cities and villages," approved April 10,
4 1872, in force July 1, 1872.

5 *Second*—Amend by striking out of line numbered eleven, on page one of the
6 bill as written the words "section 192," and insert instead thereof the words
7 "section fifteen of division eleven."

1. Received January 21, 1887, and ordered to first reading.
2. Rules suspended January 21, 1887, read a first time and ordered to a second reading and to be printed.

A BILL

For An Act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, and for the appointment of commissioners therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That Henry W. Blodgett, William C. Goudy,
3 Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill,
4 William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker
5 and William S. Morris, be and they are hereby constituted commissioners
6 to erect a monument in honor of John A. Logan, deceased, at such point
7 in the city of Chicago, or elsewhere in the State of Illinois, as may be
8 selected by his widow, and they are hereby authorized and empowered to
9 receive proposals and to contract for the completion of such monument,
10 and to receive subscriptions therefor: *Provided,* that such commissioners
11 shall not obligate the State of Illinois to exceed the sum named in section
12 three of this act.

§ 2. Such commissioners shall receive no compensation for their services.

§ 3. For the purpose of defraying the cost of such monument, beyond
2 such amounts as may be received by voluntary contributions, the sum of
3 fifty thousand dollars (\$50,000) is hereby appropriated out of the State
4 Treasury, and the Auditor of Public Accounts is hereby authorized to draw
5 his warrant on the State Treasury for such amount, out of the moneys in
6 the Treasury not otherwise appropriated, upon the certificate of a majority
7 of such commissioners from time to time during the progress of the work.

1. Received January 21, 1887, and ordered to first reading.
2. First reading January 21, 1887, and ordered to a second reading.
3. Second reading January 26, 1887, amended, and ordered to a third reading

AMENDMENTS.

- Amend the bill by inserting after the word "Morris," in line 5, of section 1,
- 2 the words "and George W. Smith," and by striking out the word "and" where
 - 3 it occurs the first time in said line 5 of printed bill.

A BILL

For An Act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, and for the appointment of commissioners therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

- 2 *in the General Assembly.* That Henry W. Blodgett, William C. Goudy,
- 3 Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill,
- 4 William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker
- 5 and William S. Morris, be and they are hereby constituted commissioners
- 6 to erect a monument in honor of John A. Logan, deceased, at such point
- 7 in the city of Chicago, or elsewhere in the State of Illinois, as may be
- 8 selected by his widow, and they are hereby authorized and empowered to
- 9 receive proposals and to contract for the completion of such monument,
- 10 and to receive subscriptions therefor: *Provided, that such commissioners*
- 11 *shall not obligate the State of Illinois to exceed the sum named in section*
- 12 *three of this act.*

§ 2. Such commissioners shall receive no compensation for their services.

§ 3. For the purpose of defraying the cost of such monument, beyond
2 such amounts as may be received by voluntary contributions, the sum of
3 fifty thousand dollars (\$50,000) is hereby appropriated out of the State
4 Treasury, and the Auditor of Public Accounts is hereby authorized to draw
5 his warrant on the State Treasury for such amount, out of the moneys in
6 the Treasury not otherwise appropriated, upon the certificate of a majority
7 of such commissioners from time to time during the progress of the work.

1. Introduced by Mr. Reinhardt, January 12, 1887, and ordered to first reading.
 2. First reading, January 12, 1887, and referred to Committee on Appropriations.
 3. Reported back, May 13, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to make an appropriation for the relief of Mrs. Peter H. Purdie, whose husband, private in Co. I, Fourth Regiment Illinois National Guard, was wounded while in sham battle by order of his superior officers, and died in consequence thereof fifteen days thereafter.

WHEREAS, Peter H. Purdie, private in Co. I, Fourth Regiment Illinois National Guard, was wounded while in sham battle, by order of his superior officers, at Buffalo Park, near Ottawa, LaSalle county, on the 12th day of August, 1885, and died from the effects of such wound on the 27th day of the same month, and left a widow and four minor children without any means of support; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of two thousand and five hundred dollars be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated for the relief of said Mrs. Peter H. Purdie.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for the sum of two thousand and five hundred dollars to the order of said Mrs. Peter H. Purdie, and the State Treasurer is hereby authorized to pay the same out of any money in the State Treasury not otherwise appropriated.



1. Introduced by Mr. Eckhart, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Municipalities.
3. Reported back February 15, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize the corporate authorities of towns having an indebtedness heretofore created, to pay the cost of procuring lands for Public Parks in such towns, to issue and sell bonds to pay and refund such indebtedness.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That in any town which is now included within*
3 *the limits of any city of this State in which a board of park com-*
4 *missioners shall now exist, having authority by law to acquire land and*
5 *the appurtenances in trust for the inhabitants of such town, and of a*
6 *division or part of such city, and for such parties or persons as may succeed*
7 *to the rights of such inhabitants, and for the public as a public promenade*
8 *and pleasure grounds and ways, but not for any other purpose, without the*
9 *consent of a majority, by frontage, of the owners of the property fronting*
10 *the same, and without the power to sell, alienate, mortgage or encumber*
11 *the same, in which town there shall exist, at the time of the passage of*
12 *this act, an indebtedness incurred for the purpose of paying the portion*
13 *found payable by the public, of the cost of the land acquired for such parks*
14 *and boulevards, pleasure grounds and ways, the corporate authorities of such*
15 *town, meaning the town supervisor, clerk and assessor thereof, shall have*
16 *authority and are hereby empowered to issue bonds for and on behalf of*

17 said town, to an amount not exceeding in the aggregate of principal, six
 18 hundred thousand dollars (\$600,000), which taken with and including existing
 19 indebtedness of said town, shall not, in the aggregate, exceed five per
 20 centum of the value of the taxable property therein, to be ascertained by
 21 the last assessment for State and county taxes previous to the issue from
 22 time to time of said bonds, for the purpose of funding and paying any
 23 bonds heretofore issued and sold by such park commissioners to raise money
 24 to pay the portion found payable by the public, of the cost of procuring
 25 the lands selected by such park commissioners for public parks and
 26 boulevards in such town.

§ 2. Such bonds shall be issued by the corporate authorities of such
 2 town as aforesaid, and shall be signed by the said corporate authorities in
 3 the name of said town. Said bonds may be of the denomination of
 4 twenty-five dollars (\$25), and any multiple thereof. They shall bear interest
 5 at the rate of not exceeding five (5) per cent. per annum, to be paid
 6 semi-annually, and to be evidenced by coupons thereto attached, and the
 7 principal shall be payable at such time as such corporate authorities may
 8 determine, not exceeding twenty years from the date of their issue. They
 9 shall be numbered in regular series, and shall be registered upon the
 10 records of said town, which registry shall show the number of the bonds,
 11 the amount of the same, when and to whom payable, and the rate of
 12 interest which they bear. Said bonds may be made payable to bearer, or
 13 to such person or persons as may be named therein, or order. When
 14 payable to bearer, they shall pass by delivery, but provisions shall be made
 15 for the second registry of the same in the office of said town, at the
 16 option of the holder, and in his name; after which second registry, they,
 17 together with bonds made payable to any particular person or persons, shall
 18 pass only by indorsement and delivery: *It is further provided*, that upon
 19 the expiration of one year after the date of any bonds issued under
 20 authority of this act, and upon the expiration of each successive year
 21 thereafter, the said corporate authorities shall, at the office of the town

22 clerk, select by lot, so many of said bonds as may be required to absorb
23 the money raised by taxation to pay and discharge the principal of said
24 bonds, and the principal of the bonds so selected shall become due and
25 payable at the date of the next installment of interest maturing on the
26 several bonds so collected from time to time shall cease to bear interest
27 after they severally become due and payable by such selection; said cor-
28 porate authorities, immediately after making any such selection, shall make
29 and sign in duplicate a statement of the result thereof, and shall file one
30 copy thereof in the office of the town clerk and the other copy shall
31 be filed in the office of the county clerk of the county, and it is
32 hereby made the duty of such corporate authorities of such town to pay
33 and discharge the principal of the bonds so selected at the date of the
34 next installment of interest maturing on the several bonds so selected,
35 from the funds raised from time to time for that purpose under this act,
36 Each bond issued under authority hereby granted, shall contain a condition
37 that the same may be declared due and payable at any time before
38 maturity thereof by selection in the manner last aforesaid.

§ 3. Bonds issued under this act, may be issued in substitution for the
2 indebtedness designated in this act, legally existing at the time of its
3 passage, and may be sold by said corporate authorities for such prices as
4 they shall deem expedient. They shall not, however, be sold at less than
5 par, nor until the proceeds of the same can be made available for the
6 purpose of canceling such existing indebtedness, and the proceeds of bonds
7 sold shall be used only for the payment of such existing indebtedness.
9 Any person who shall knowingly violate or connive at the violation of any
10 of the provisions of this act, shall be deemed guilty of embezzlement, and
11 shall be liable to indictment, trial and punishment, as in other cases of
12 embezzlement.

§ 4. For the purpose of providing for the payment of the interest on
2 such bonds as it falls due, and also to pay and discharge the principal
3 thereof at the maturity of the same, said town is, and its corporate

4 authorities are hereby authorized, required and directed to appropriate and
5 levy an annual tax upon the taxable property in such town, sufficient to
6 pay the interest on said bonds as the same shall mature from time to
7 time, and also pay and discharge the principal thereof at maturity.

-
1. Received from House April 25, 1887, and ordered to first reading.
 2. First reading May 31, 1887, and ordered to second reading without reference.
-

•

A BILL

For An Act to amend an act entitled "An act to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved May 24, 1877, in force July 1, 1877, by adding a section thereto to be known as section 2½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That an act entitled, "An act to exempt certain
3 personal property from attachment and sale on execution, and from distress
4 for rent," approved May 24, 1877, in force July 1, 1877, by adding a section
5 thereto to be known as section 2½.
6 "Section 2½. Each householder chosen under the second section of this
7 act shall be entitled to the sum of one dollar per day, as costs, for each day
8 necessarily employed in appraising the property of the debtor; to be paid in
9 the first instance by the party in whose behalf the execution, writ of attach-
10 ment or distress warrant has issued, and to be taxed as other costs on such
11 execution, writ of attachment or distress warrant."

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

7221 vol

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading April 7, ordered to second reading and to be printed

A BILL

For An Act to provide for an increase of the number of Judges of the Circuit
Court of Cook County.

WHEREAS, It appears by a census of this State, commonly known as the
2 school census taken in the year 1886, pursuant to law, that the number of
3 inhabitants of the said county of Cook was over nine hundred and sixteen
4 thousand (916,000), and that thereby said county is entitled by section 23,
5 article six of the constitution of this State to six additional judges, therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That an election be held by the qualified electors
3 of the said county of Cook on the first Monday of June, next after this act
4 shall take effect, for six additional judges of the circuit court, whose term
5 of office shall expire on the first Monday in June, 1891, upon the election
6 and qualification of their successors in office.

§ 2. Upon said first Monday in June, 1891, and every six years thereafter,
2 there shall be elected at the same time and in the same manner as the other
3 judges of said circuit court, six judges successors in office of the judges by
4 this act authorized to be elected.

§ 3. *All acts in conflict herewith are hereby repealed, and whereas the*
2 *docket of said court being much overcrowded, an emergency exists. This*
3 *act shall go into effect upon its passage.*

1. Introduced by Mr. Humphrey, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Appropriations.
3. Reported back February 10, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to appropriate the money turned into the State Treasury by the Board of Live Stock Commissioners, the proceeds of the sale of the healthy carcasses of cattle slaughtered in Chicago, by order of the Board on account of exposure to Pleuro-pneumonia, for the payment of damages for animals slaughtered under the provisions of law.

WHEREAS, The Board of Live Stock Commissioners of the State of Illinois, in the discharge of their duties as provided by law, have slaughtered a large number of cattle in the City of Chicago on account of the existence of pleuro-pneumonia therein, and the exposure of cattle thereto, and have received, in addition to the expense incurred in said slaughter, the sum of \$35,308.78 as the net proceeds of the sales of the carcasses and hides of such of said animals as were pronounced healthy on post-mortem examination, which amount has been paid by the Board into the State Treasury; and,

WHEREAS, The balance remaining of the fund appropriated by the Thirty-fourth General Assembly for the payment of such slaughtered animals is insufficient to pay all claims arising out of the aforesaid slaughter, and that will arise before another appropriation is available, and said claims have accrued to the owners and have been certified to the Governor by the Board; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That there be, and is hereby appropriated, the sum
3 of \$35,308.78 (being the amount paid into the State Treasury by the said
4 Board of Live Stock Commissioners, as above) for the payment of damages
5 awarded for animals slaughtered on order of the Board of Live Stock
6 Commissioners, under existing laws.

§ 2. WHEREAS, As set forth in the preamble of this act, an emergency now
2 exists, this act shall be in force from and after its passage.

1. Introduced by Mr. Higgins, January 12, 1887, and ordered to first reading.
 2. First reading January 12, 1887, and referred to Committee on Mines and Mining.
 3. Reported back February 3, 1887, and ordered to be printed.
-

A BILL

For An Act to amend an act entitled "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879; as amended by acts approved June 18, 1883, and June 21, 1883, in force July 1, 1883; and by acts approved June 29, 1885, and June 30, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the above named act be and it is hereby amended
3 by the addition of the following sections, to be numbered sections 24, 25 and
4 26, and to read as follows:

5 "Section 24. The mine inspectors of this State shall determine the capacity
6 of all mining cars in use in their respective districts, and the capacity in
7 bushels and fractional parts thereof shall be plainly marked or branded on each
8 and every car in use in all coal mines in this State."

9 "Section 25. The capacity of such mining cars, when ascertained and
10 properly marked or branded by said mine inspectors, shall be the only measure
11 used for measuring coal mined in this State, and such mining cars, when filled
12 with good, clean, marketable coal, shall be credited to the person mining it, for
13 the full capacity of such car in bushels and fractional parts thereof."

14 "Section 26. Any person, owner or agent operating a coal mine or colliery
15 in this State who shall fail to comply with the provisions of this act, or any
16 person who shall obstruct or hinder the carrying out of its requirements, shall
17 be fined for the first offense not less than fifty (50) dollars, for the second

18 offense not less than two hundred (200) dollars, and for the third offense not
19 less than five hundred (500) dollars, or be imprisoned in the county jail not
20 less than six (6) months.”

§ 2. All acts or parts of acts inconsistent with the provisions of this act are
2 hereby repealed.

1. Received from House April 9, 1887, and ordered to first reading.
2. First reading April 9, 1887, and ordered to second reading without reference.

A BILL

For An Act to punish false pretenses in obtaining certificates of registration of cattle and other animals, and to punish giving false pedigrees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any person, who by any false pretense, shall obtain from any club, association, society or company for improving the breed of cattle, horses, sheep, swine or other domestic animals, a certificate of registration of any animal in the herd register, or other register of any such club, association, society or company, or a transfer of any such registration, and every person who shall knowingly give a false pedigree of any animal, upon conviction thereof shall be fined not exceeding \$1,000, nor less than \$25, or imprisonment in the county jail for a period not exceeding one year, or both, in the discretion of the court.

1. Introduced by Mr. Higgins, January 12, 1887, and ordered to first reading.
 3. First reading January 12, 1887, and referred to Committee on Judiciary.
 4. Reported back March 23, passage recommended and ordered to second reading.
-

A BILL

For An Act to amend section 2 of an act entitled "An act to exempt certain personal property from attachment and sale on execution and from distress for rent," approved May 24, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section 2 of "An act to exempt certain personal*
3 *property from attachment and sale on execution and from distress for rent,"*
4 *approved May 24, 1877, in force July 1, 1877, be amended so as to read as*
5 *follows:*

6 "Section 2. Whenever any debtor against whom an execution, writ of at-
7 tachment or distress warrant has been issued, desires to avail himself or her-
8 self of the benefit of this act, he or she shall within ten days after notice of
9 the execution, attachment or distress warrant make a schedule of all of his
10 or her personal property of every kind and character, including money on
11 hand, and debts due and owing to the debtor, and deliver the same to the
12 officer having the execution, writ of attachment or distress warrant, which
13 said schedule shall be subscribed and sworn to by the debtor, and any property
14 owned by the debtor and not included in said schedule shall not be exempt
15 as aforesaid. And thereupon the officer having the execution, writ of attach-
16 ment or distress warrant shall summon three householders, who, after being
17 duly sworn to fairly and impartially appraise the property of the debtor shall
18 fix a fair valuation upon each article contained in said schedule, and the

19 debtor shall then select from such schedule the articles he or she may desire
20 to retain, the aggregate value of which shall not exceed the amount exempted
21 to which he or she may be entitled, and deliver the remainder to the officer
22 having the writ, and the officer having such writ is hereby authorized to
23 administer the oaths required herein of the debtor and appraisers.

1. Introduced by Mr. Evans, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 24, passage recommended, and referred to Committee on Appropriations.
4. Reported back March 31 with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations for the ordinary and other expenses of the Illinois Northern Hospital for the Insane at Elgin.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts be, and are hereby
3 appropriated to the Illinois Northern Hospital for the Insane, at Elgin, for
4 the purposes hereinafter named, and for no other:

5 *First*—For defraying the ordinary expenses of said hospital from July 1,
6 1887, until the expiration of the first fiscal quarter after the adjournment of
7 the next General Assembly, the sum of one hundred thousand dollars, (\$100,-
8 000.) per annum, payable quarterly in advance, (\$200,000.)

9 *Second*—For repairs and improvements, the sum of five thousand dollars,
10 (\$5,000.) per annum, (\$10,000.)

11 *Third*—For care and improvement of grounds, one thousand dollars, (\$1,000.)
12 per annum, (\$2,000.)

13 *Fourth*—For additions to present buildings, enlargement of bakery, dining
14 room, etc., the sum of three thousand, three hundred and forty-five dollars,
15 (\$3,345.)

16 *Fifth*—For placing iron fire-proof doors between the different sections of the
17 building; constructing fire-proof walls, and extending same through the

18 attics to the roof, the sum of eight thousand, eight hundred and fifty dollars,
19 (\$8,850.)

20 *Sixth*—For hose-house with tower, and building for the manufacture of
21 soap, blacksmithing and other purposes, including fireman's outfit of rubber
22 clothing, and soap fixtures, eight thousand, six hundred and twenty-seven
23 dollars, (\$8,627.)

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees of said Illinois Northern hospital for the Insane, at Elgin, or their
3 order, only on the terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 29.

Amend line 13, page 1, by striking out the words "one hundred" and insert
2 the words "ninety eight" in lieu thereof.

3 Also amend line 13, page 1, by striking out the figures "100,000" and insert
4 the figures "98,000" in lieu thereof.

5 Also amend line 4, page 2, by striking out the words "eight hundred and
6 fifty;" also amend in same line by striking out the figures "8,850" and
7 insert the figures "8,000" in lieu thereof.

8 Also amend line 8, page 2, by striking out the words "eight thousand, six
9 hundred and twenty-seven," and insert the words "six thousand" in lieu
10 thereof. Also amend in same line by striking out the figures "8,627" and
11 insert the figures "6,000" in lieu thereof.

1. Introduced by Mr. Crawford, January 12, 1887, and ordered to first reading.
2. First reading January 12, 1887, and referred to Committee on Judiciary.
3. February 16, 1887, reported back, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections sixty-one (61) and sixty-two (62) of an act entitled
"An act to revise the law in relation to counties," approved March 31,
1871, as amended by the act of May 20, 1879, relative to Cook county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections sixty-one (61) and sixty-two (62) of an
3 act entitled "An act to revise the law in relation to counties," approved and
4 in force March 31, 1871, as subsequently amended by the act of May 20, 1879,
5 be and the same are hereby so amended as to read, respectively, as follows:
6 "Section 61. The said commissioners shall, severally, before they enter
7 upon the discharge of their duties, take the oath of office prescribed by the
8 constitution; and they shall be known as the Board of Commissioners of
9 Cook County, and as such board shall possess the powers, perform the duties
10 and be subject to the rules, regulations and restrictions hereinafter specified,
11 that is to say:

12 *First*—Said Board of Commissioners shall hold regular meetings on the first
13 Monday of December, January, February, March, June and September, in each
14 year; and shall, at their first meeting in December, organize said Board of
15 Commissioners, by the election of one of their number as president, who shall
16 hold his office until the day next preceding the first Monday in December
17 next after his election. It shall be the duty of the President of the Board of
18 Commissioners to call special meetings of the Board whenever in his opinion

19 the same may be necessary; and he shall preside at all of the meetings
 20 of said Board, and generally perform the duties usually performed by a
 21 presiding officer: *Provided*, that in the absence of the president, or of
 22 his inability to act, a president *pro tempore* may be elected, who shall
 23 during such absence or inability possess all the powers and perform all
 24 the duties, by law vested in and required of the president.

25 *Second*—The President of the Board of Commissioners shall have the
 26 same privilege of voting as any other Commissioner; but he shall not have a
 27 casting vote upon any question upon which he has voted as Commissioner.

28 *Third*—All resolutions or motions whereby any money shall be appro-
 29 priated, or by virtue of which any contract shall be made, or any act done
 30 which may, directly or indirectly, or in any manner whatever, create any pecu-
 31 niary liability on the part of said county, shall be submitted to said Board
 32 of Commissioners in writing, or reduced to writing, before any vote shall be
 33 taken thereon; and if adopted by the Board the same shall not take effect
 34 until after the same shall have been approved in writing by the President of said
 35 Board, except as hereinafter provided. It shall be the duty of the Clerk of
 36 said Board to deliver to the President thereof, upon his request, the original
 37 (or a copy), of each resolution or motion so passed or adopted by said Board as
 38 aforesaid, within one day after its passage or adoption; and in case the Presi-
 39 dent approves thereof he shall sign the same and it shall thereupon be in full
 40 force and effect. In case the president shall not approve any such resolution
 41 or motion, he shall, within five days after the receipt of the same, as aforesaid,
 42 return it to the clerk of said Board, with his objections thereto in writing.
 43 Such veto by the President may extend to any one or more items or appro-
 44 propriations contained in any resolution making an appropriation, or to the en-
 45 tire resolution; and in case the veto only extends to a part of such resolution
 46 making an appropriation, the residue thereof, not embraced within the veto,
 47 shall take effect and be in force from the time of the receipt by said clerk of
 48 such veto of such part. Upon the return of any such resolution or motion by
 49 the President, with his objections thereto, as aforesaid, the vote by which the

50 same was passed shall be reconsidered by the Board of Commissioners as to so
 51 much thereof as may have been vetoed; and if, after such reconsideration, four-
 52 fifths of all the members elected to the Board shall agree to pass the same by
 53 yeas and nays, to be entered on the journal, the same shall take effect, notwith-
 54 standing the President may have refused to approve thereof. In case the Pres-
 55 ident shall fail or omit to either sign and approve, or return with his objec-
 56 tions as aforesaid, any such motion or resolution, which shall have been passed
 57 or adopted by the Board within six days after it shall have been so passed or
 58 adopted, the same shall take effect without the approval of the President.

59 *Fourth*—Said Board of Commissioners shall have the management of the
 60 affairs of said Cook county in the manner provided by law, and may exercise
 61 the same powers, perform the same duties, and shall be subject to the same
 62 rules, regulations and penalties prescribed by law for the Board of Supervisors
 63 in other counties, except as herein otherwise provided; and shall also be sub-
 64 ject to the rules, regulations and restrictions herein provided.

65 *Fifth*—The said Board of Commissioners shall have no power or author-
 66 ity to delegate to any committee or other person or persons the "power to act"
 67 when such "power to act" shall involve the letting of any contract or the ex-
 68 penditure of public money exceeding the sum of five hundred dollars (\$500),
 69 and any action of said Board, or of any committee thereof, or of any other per-
 70 son or persons in violation of this section, shall be null and void. No money
 71 shall be appropriated, or ordered paid by said County Commissioners, beyond
 72 the sum of five hundred dollars (\$500) unless such appropriation shall have
 73 been authorized by a vote of at least two-thirds of the members elected to the
 74 said County Board.

75 *Sixth*—Said Board of Commissioners shall within the first quarter of each
 76 fiscal year adopt a resolution, to be termed the Annual Appropriation Bill,
 77 in and by which resolution said Board shall appropriate such sums of
 78 money as may be necessary to defray all necessary expenses and liabilities
 79 of said Cook county, to be by said county paid or incurred during and until the
 80 time of the adoption of the next Annual Appropriation Bill under this section:

81 *Provided*, that said Board shall not expend any money or incur any indebted-
82 ness or liability on behalf of said county in excess of the percentage and several
83 amounts now limited by law, and based on the limit prescribed in the Consti-
84 tution, when applied to the last previous assessment. Said Appropriation Bill
85 shall specify the several objects and purposes for which such appropriations are
86 made, and the amount appropriated for each object or purpose. The vote
87 of said Board of Commissioners upon said appropriation bill shall be taken
88 by yeas and nays, and the same shall be entered upon the journal. Said
89 appropriation bill shall not take effect until after it shall have been once
90 published in a newspaper published in Chicago, and said board shall
91 provide for and cause said appropriation bill to be so published as aforesaid.
92 After the adoption of such appropriation bill or resolution, said Board of
93 Commissioners shall not make any further or other appropriation prior to
94 the adoption or passage of the next succeeding annual appropriation bill;
95 and the said Board of Commissioners shall have no power, either directly
96 or indirectly, to make any contract or do any act which shall add to the
97 county expenditures or liabilities in any year, any thing or sum over and
98 above the amount provided for in the annual appropriation bill for that
99 fiscal year. No contract shall hereafter be made, or expense or liability
100 incurred by the said Board of Commissioners, or any member or committee
101 thereof, or by any person or persons for or on its behalf, notwithstanding the
102 expenditure may have been ordered by said Board of Commissioners, unless
103 an appropriation therefor shall have been previously made by said board in
104 manner aforesaid: *Provided*, however, that nothing herein contained shall
105 prevent the Board of Commissioners, by a concurring vote of four-fifths of
106 all the Commissioners (said vote to be taken by yeas and nays and entered
107 upon the journal) from making any expenditures or incurring any liability
108 rendered necessary by any unforeseen casualty by fire, flood or otherwise,
109 happening after the annual appropriation bill shall have been passed or
110 adopted. Nor shall anything herein contained be construed to deprive the
111 board of power to provide for and cause to be paid from the county funds,

112 any charge upon said county imposed by law, without the action of the
 113 Board of Commissioners, including fixed salaries of officers required by law
 114 to be paid from the county treasury, and to pay jurors' fees and other
 115 charges fixed by law.

116 *Seventh*—The Board of Commissioners shall establish and provide for the
 117 appointment of a Committee on Finance and a Committee on Public Service.
 118 There shall be a Superintendent of Public Service to be appointed by the
 119 President, by and with the advice and consent of the Board of Commissioners,
 120 who shall hold his office for one year and until his successor is appointed;
 121 he may be suspended or removed by the President; he shall give a sufficient
 122 bond for the faithful performance of his duties, and be subject to the over-
 123 sight and supervision of the Committee on Public Service; he shall employ
 124 such assistants as may be authorized by the Board of Commissioners, and
 125 they shall be subject to suspension or removal by the President. It shall
 126 be the duty of the Superintendent, under authority of the Board of Com-
 127 missioners, to purchase, receive and distribute all supplies necessary for the
 128 the use and service of Cook county and its various institutions, of whatever
 129 nature, except those which are by law otherwise expressly provided for; and
 130 to keep accurate accounts of any vouchers for the same, which shall be
 131 open to the inspection of the President and the Committee on Public
 132 Service, and to the public; he shall also perform all other duties relative to
 133 the public service which may be assigned to him by the Board of Commis-
 134 sioners, who shall make and maintain regulations for the conduct and
 135 government of the Department of Public Service, not inconsistent with this
 136 act.

137 *Eighth*—All contracts for supplies, material and work for the County of
 138 Cook, shall be let to the lowest responsible bidder, after due advertisement;
 139 but if in case of any emergency, it is necessary to purchase supplies
 140 not exceeding in amount \$500, such purchase may be made by the
 141 Superintendent in the open market, on authority given to him by the
 142 Board of Commissioners or the Committee on Public Service. All contracts

143 for supplies, material or work for Cook county, shall be approved by the
144 Board of Commissioners and signed by the President of the Board, the
145 Superintendent of Public Service and the Comptroller. Supplies shall be
146 issued only on the requisition of the responsible officers of the county
147 institutions, now or hereafter established by law, approved by the Com-
148 mittee of Public Service.

149 *Ninth*—All regular and permanent officers and employes of the county
150 of Cook, except those whose election or appointment is otherwise provided
151 for by law, shall be appointed at the December meeting of each year, or
152 subsequently, if necessary, and their term shall not exceed one year
153 ending on December 31, and until their successors are appointed and
154 qualified, and they may be removed by the Board at any time. Vacancies
155 may be filled in like manner. Their salaries or rate of compensation
156 shall be fixed by the Board of Commissioners prior to their appointment,
157 and shall not be changed during their term of office; the Board of
158 Commissioners shall also determine whether any and what amount of bond
159 they shall give."

160 "Section 62. The County Clerk of Cook county shall be clerk of the
161 Board of County Commissioners; and all laws applicable to the County
162 Clerks of other counties under township organization, shall be applicable
163 to him. He shall, also, *ex officio*, be the Comptroller of the county
164 financial affairs, and as such, shall have charge of all deeds, mortgages,
165 contracts, judgments, notes, bonds, debts and choses in action belonging
166 to the said county, except such as are directed by law to be deposited
167 elsewhere, and shall carefully preserve the same; he shall, subject to the
168 approval of the Board of Commissioners, revise, audit and settle all
169 accounts in which the county is concerned, either as debtor or creditor,
170 or where provision for the settlement thereof is not otherwise provided
171 for by law, and the settlement of which is not especially committed to
172 some other authority: *Provided*, that no payment of any account so
173 settled or adjusted, shall be made except by the order of the County

174 Board, after approval by the Finance Committee. He shall have the
 175 power, in making such settlements and adjustments, and for the purpose
 176 of ascertaining the true state of any balance or balances so due, to require
 177 any claimant or claimants to deposit and file with him, as such Comptroller,
 178 a statement in writing, under oath, as to any fact, matter or thing concerning
 179 the correctness of any account, claim or demand presented. He shall
 180 open and keep, in a clear, methodical manner, a complete set of books,
 181 under the direction of the President of the Board and the Finance Com-
 182 mittee thereof, wherein shall be stated, among other things, the appropriations
 183 for the fiscal year for each distinct object and branch of expenditure, and
 184 also the estimated receipts from each and every source of revenue, so far
 185 as he can ascertain the same. Said books, and all papers, vouchers, con-
 186 tracts, bonds, receipts and other things kept in said office, shall be sub-
 187 ject to the examination of the President of the Board and of the Finance
 188 Committee. It shall be his duty, at the close of each fiscal year, to
 189 place to the credit of a general fund all unexpended appropriations for
 190 such year, but which shall not include the amount required to liquidate
 191 contracts or liabilities entered into by virtue or authority of such appro-
 192 priation, and which remain unpaid at the close of the fiscal year: *Pro-*
 193 *vided*, that no such disposition shall be made of any trust fund or funds
 194 that by law are specific and under the direct control of officers specially
 195 appointed for their disbursement. He shall make out an annual statement
 196 for publication, on or before the first day of February in each year, giving
 197 a full and detailed statement of all the receipts and expenditures during
 198 the fiscal year. Such statements shall also detail all the liabilities and
 199 resources of said county, the condition of all unexpended appropriations
 200 and contracts unfulfilled, and the balance of money then remaining in
 201 the treasury, with all sums due and outstanding, and the amounts unac-
 202 counted for, and all other things necessary to exhibit the true financial
 203 condition of the county, which statement, when examined and approved
 204 by the Finance Committee, shall be published by him as aforesaid. He

shall, also, on or before the first Monday of February, in each year, before the annual appropriations are made by the County Board, submit to the Board a report of the estimates necessary, as nearly as may be, to defray the expenses of the county government during the current fiscal year; he shall, in said report, classify the different objects and branches of said county expenditure, giving as nearly as possible, the amount required for each class, and for this purpose it shall be the duty of all county officers and heads of departments, to make and furnish the Comptroller, on his request, statements of the condition and expenditure of their respective departments and offices, with any desired alterations or improvements and the probable expense thereof. It shall be the duty of any Committee of the Board charged with the expenditure of money for buildings or improvements to make and furnish him a similar statement, and of all contracts already made and unfinished, and the amount of any unexpended appropriations of the preceding year. The Comptroller shall, in such report, also show the aggregate income of the preceding fiscal year from all sources; the amount of liabilities outstanding upon which interest is to be paid, and of bonds and county debts payable during the fiscal year, and when and where payable. He shall also make and publish monthly statements, giving full and detailed accounts of all moneys received and expended for the public service of the county. He shall sign all warrants drawn upon the Treasurer, which shall be countersigned by the President of the Board, and the same shall state therein the particular fund or appropriation to which the same is chargeable. No money shall be paid out of the county treasury except upon such warrants so drawn; nor shall any warrant be issued except against an appropriation theretofore made by the County Board in accordance with section 61 of this act. The President of the Board of Commissioners, the County Clerk as Comptroller, the Treasurer and the Finance Committee shall meet in the month of January to compare and revise all statements made by the Comptroller, Treasurer and the other accounting officers and committees,

236 and the Comptroller shall embody the result of such action in his report
237 to the Board of Commissioners. The fiscal year of said county of Cook
238 shall commence on the first day of January and end on the thirty-first
239 day of December of each year, so long as the law requires the Board of
240 Commissioners to be elected in the month of November: *Provided, how-*
241 *ever,* that if at the time this amendatory act takes effect there is in
242 force, or may thereafter be in force, a law requiring or authorizing said
243 Commissioners to be elected in the month of April instead of November,
244 then and in that case, the fiscal year of said county shall begin on the
245 first day of June in each year and end on the thirty-first day of May
246 next thereafter; and, also, in that event the regular meetings of said
247 Board of Commissioners shall be held on the first Mondays of May, June,
248 July, August, September and February, instead of the months specified
249 for such meetings in the preceding section 61; and corresponding changes
250 shall be made in the other dates or months specified in said section 61,
251 as well as in the provisions of this section preceding this proviso, thus:
252 January shall be changed to June, February to July, and December to
253 May, and all acts or things so required to be done or performed, or
254 begin or terminate, in said months of January, February and December,
255 respectively, shall be done and performed, or begin or terminate, in the
256 months of June, July and May, respectively."

1. Introduced by Mr. Hill, January 13, 1887, and ordered to first reading.
2. First reading January 13, 1887, and referred to Committee on Horticulture.
3. Reported back February 16, 1887, with favorable recommendation, and referred to the Committee on Appropriations.
4. Reported back March 17, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making an appropriation in aid of the Illinois Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there be and hereby is appropriated for the
3 use of the Illinois State Horticultural Society the sum of four thousand
4 dollars (\$4,000) per annum for the years 1887 and 1888, to be expended by
5 said society for the purpose and in the manner specified in "An act to
6 reorganize the Illinois State Horticultural Society," approved March 24, 1874.

AMENDMENT PROPOSED BY COMMITTEE ON APPROPRIATIONS TO
SENATE BILL NO. 34.

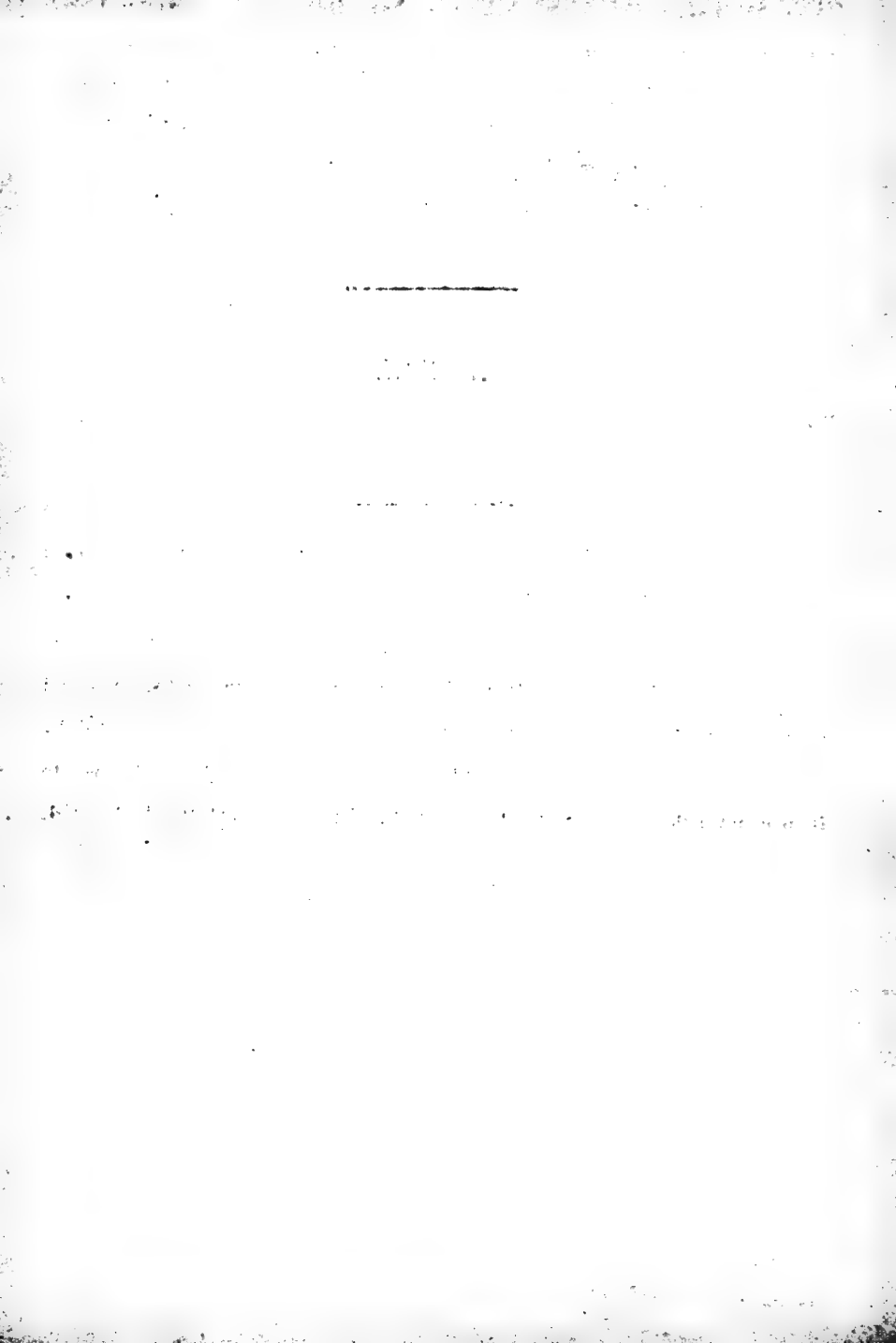
Amend by striking out in line twelve the words "four thousand" and insert
2 in lieu thereof the words "two thousand."
3 Also amend by striking out in line thirteen the figures "4,000" and insert
4 in lieu thereof the figures "2,000."

1. Introduced by Mr. Hill, January 13, 1887, and ordered to first reading.
2. First reading January 13, 1887, and referred to Committee on Horticulture.
3. Reported back February 16, 1887, with favorable recommendation, and referred to Committee on Appropriations.
4. Reported back March 17, 1887, with amendments, passage recommended and ordered to second reading.
5. Second reading April 20, 1887, amended, and ordered to third reading.

A BILL

For An Act making an appropriation in aid of the Illinois Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and hereby is appropriated for the use of the Illinois State Horticultural Society the sum of two thousand dollars (\$2,000) per annum for the years 1887 and 1888, to be expended by said society for the purpose and in the manner specified in "An act to reorganize the Illinois State Horticultural society," approved March 24, 1874.*



1. Received from House April 7, 1887, and ordered to first reading.
2. First reading April 15, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section two hundred and thirty-seven of division one of an act entitled "An act to revise the law in relation to Criminal Jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section two hundred and thirty-seven of division*
3 *one of an act entitled "An act to revise the law in relation to Criminal*
4 *Jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the*
5 *same is amended to read as follows:*

6 "Section 237. Rape is the carnal knowledge of a female, forcibly and against
7 her will. Every male person of the age of sixteen years and upwards, who
8 shall have carnal knowledge of any female person under the age of fourteen
9 years, either with or without her consent, shall be adjudged to be guilty of the
10 crime of rape: *Provided*, that every male person of the age of fourteen years
11 and upwards who shall have carnal knowledge of a female forcibly and against
12 her will shall be guilty of the crime of rape. Every person convicted of the
13 crime of rape, shall be imprisoned in the penitentiary for a term not less than
14 one year, and may extend to life."

2. Introduced by Mr. Hill, January, 13, 1887, and ordered to first reading.
2. First reading January 13, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back January 28, and referred to Committee on Appropriations.
4. Reported back February 17, 1887, passage recommended, ordered to second reading.

A BILL

For "An Act making an appropriation for the ordinary expenses of the Southern Illinois Normal University at Carbondale, Jackson county, Illinois."

SECTION 1. Be it enacted by the People of the State of Illinois, represented

2 *in the General Assembly*, That there be and is hereby appropriated to the
3 Southern Illinois Normal University at Carbondale, Jackson county, in
4 addition to the one-half of the interest on college and seminary fund,
5 which is hereby appropriated, the further sum of fourteen thousand five
6 hundred and six dollars and forty-four cents, (\$14,506.44) per annum for
7 the payment of salaries; the sum of one thousand dollars (\$1,000) per
8 annum for repairs; the sum of one thousand dollars (\$1,000) per annum
9 for fuel; the sum of one thousand dollars (\$1,000) per annum for library;
10 the sum of five hundred dollars (\$500) per annum for apparatus; the sum
11 of five hundred dollars (\$500) per annum for museum; the sum of six
12 hundred dollars (\$600) per annum for care of grounds; the sum of nine
13 hundred and sixty dollars (\$960) per annum for engineer and janitor; the
14 sum of five hundred dollars (\$500) per annum for trustees' expenses; and
15 these several sums shall be payable quarterly, in advance, from the first
16 day of July, 1887, to the expiration of the first fiscal quarter after the
17 adjournment of the next General Assembly.

§ 2 The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for said sums upon the order of the trustees of said Southern Illinois Normal University, signed by their president and attested by their secretary with the corporate seal attached: *Provided*, that satisfactory vouchers, in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for all expenses, ordinary and extraordinary, of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

1. Received from House April 25, 1887, and ordered to first reading.
 2. First reading April 25, 1887, and referred to Committee on Judiciary.
 3. Reported back May 19, 1887, with recommendation that it do not pass, minority report recommending that it do pass. Both reports made special order for May 25, 1887.
 4. May 25, 1887, minority report adopted and ordered to second reading.
-

A BILL

For An Act in relation to the Title to Real Estate where the records have been lost or destroyed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* Whenever the public records relating to real estate
3 titles have been lost or destroyed for a period of more than ten years,
4 any person claiming an interest in any piece or parcel of real estate de-
5 rived from or through a person who was the owner thereof in fee in his
9 own right, or as trustee, at the time of the loss or destruction of such
7 records, or who was himself the owner thereof at the time of such loss
8 or destruction, may make and file of record in the office of the recorder
9 of deeds of the county in which such real estate is situated, a declaration
10 showing in whom the title to the premises was at the time of such loss
11 or destruction: *Provided,* he can bring himself within the provisions of this
12 act and make the declaration as required by section three hereof.

§ 2. No declaration can be made or filed for record before July 1, 1887,
2 and in case of the loss or destruction of such records for more than ten
3 years prior to the passage of this act, no declaration can be made or filed
4 after July 1, 1889.

§ 3. The declaration shall show substantially as follows:

2 1st. The residence of the claimant.

3 2d. What premises he claims, and the nature of his interest therein.

4 3d. That he is (at the time of making his declaration) in the actual
5 possession of the premises otherwise than as lessee, and that he has paid
6 taxes thereon at least seven out of ten years next prior to the time of
7 making the declaration.

8 Or, that he or the person through whom he claims was in the posses-
9 sion of the premises on the first day of January, 1887, and that he, or he
10 and the person through whom he claims, have been in such actual pos-
11 session continuously since that time, and that he, or he and the person
12 through whom he claims, have paid taxes on the premises for at least two
13 of the five years next prior to the making of the declaration.

14 Or, if the premises are vacant and unoccupied, he shall state that fact,
15 and that he, or he and the person through whom he claims, have paid
16 taxes upon the premises seven years of the ten years next prior to the
17 time of making the declaration, giving the years.

18 4th. The time of the loss or destruction of such records.

19 5th. The name of the owner in fee of the premises at the time of the
20 loss or destruction of such records, giving the names of all the persons
21 interested therein at that time, and that the claimant derives his title through
22 the person or persons named in the declaration as such owner at that
23 time, or if the claimant was the owner in fee at that time it shall be so
24 stated, and if such owner at the time of such loss or destruction of the
25 records held the title as trustee, such fact shall be stated, and also the
26 name of the person creating the trust, and of the trustee and the date of
27 the instrument showing the trust.

28 6th. That the person alleged in the declaration to have been the owner
29 of the premises at the time of such loss or destruction of records derived
30 title thereto otherwise than under or by virtue of any sale for taxes or
31 special assessments or under any deed issued by virtue of such sale as
32 paramount title.

§ 4. The declaration shall be subscribed and sworn to by the person
2 making the same before a master in chancery of the county where such

3 real estate is situated: *Provided*, that if the claimant does not reside in
4 or is absent from this State, it may be subscribed and sworn to out of
5 this State, and before any officer having power by the laws of this State
6 to take acknowledgments of deeds out of the State, but the requirements
7 as to showing identity of claimant and possession and payment of taxes or
8 vacancy of premises shall be the same as in the case of a resident of this State.

§ 5. Such declaration may contain any number of pieces of real estate,
2 whether the title is derived from the same or different persons or at the same
3 or different times.

§ 6. Any municipal corporation may make and file the declaration of title
2 herein provided for by its Mayor, President of the Board of Trustees, or any
3 officer thereof, which the corporation may direct to make the same. Any
4 private corporation may make and file such declaration by its President,
5 Secretary, Treasurer, Manager, or any person it may appoint for that purpose.
6 The guardian of an infant and the conservator of the estate of any person may
7 make and file such declaration for his ward. An infant of sufficient under-
8 standing may make and file such declaration for himself whether he has a
9 guardian or not. A counter-claim as hereinafter provided may be made and
10 filed on behalf of the parties aforesaid by the same persons.

§ 7. Before a master in chancery shall give his certificate as hereinafter
2 provided, the claimant shall satisfy him of the good faith of his declaration, and,
3 if the premises are in actual possession, shall satisfy him that the claimant's
4 allegations in relation thereto are true, and that he has paid taxes as required by
5 this act; or if the premises are claimed to be vacant and unoccupied, the
6 claimant shall satisfy such master that they are so vacant and unoccupied, and
7 that payment of taxes has been made as required in such case. And for the
8 purpose of satisfying the master, the claimant, if he be a resident, and a witness
9 in every case, shall appear before the master, who may examine him or them
10 upon oath, touching the matters alleged in the declaration, and the witness shall
11 subscribe and swear to an affidavit substantially as hereinafter provided. The
12 claimant must cause to be produced to the master proper tax receipts or

13 certificates of redemption, or when he does not have them, then the official
14 certificate of the county clerk, or other proper officer having at the time the
15 keeping of the tax books showing such payments. If the taxes shall have
16 been paid by any person for the claimant, that fact may be shown by the
17 testimony of the person who made the payment.

§ 8. The declaration may be substantially in the following form:

DECLARATION OF TITLE.

STATE OF ILLINOIS. }
County. } ss.

....., being duly sworn, says that he resides at
....., and that he makes the following declaration of title:

That he claims an interest in the following described premises (here
insert description of same); that he claims the same as (here insert the
nature of his interest.) (If he claims as trustee, it shall be sufficient for
him to say that he makes his claim as trustee, giving the person who
created the trust, the name of the trustee and the date of instrument
creating the trust.)

That he is in actual possession of said premises otherwise than as lessee,
and that he has paid taxes thereon seven out of the ten years next prior to
the time of making this declaration.

(Or, that he is in actual possession of said premises and was, or the person
through whom he claims was, in such possession on the first day of January,
1887, and has, or he and the person through whom he claims have, been in
possession continuously since that time, and that he, or he and the person
through whom he claims have, paid taxes upon said premises for two of the
five years next prior to the time of making this declaration.)

(Or, that the said premises are vacant and unoccupied and he has, or he
and the person through whom he claims have, paid taxes upon the said prem-
ises seven years out of the ten years next prior to the time of making this
declaration, to-wit: the years.....
.....)

27 That the records affecting the title to said estate were lost or destroyed on
28 or about the day of, 18.....

29 That at the time of such loss or destruction he was the owner of said
30 premises in fee (or if such claimant was not then such owner, state who was),
31 in his own right (or if claimant or such other person hold the premises in
32 trust, say: As trustee under a certain deed or will, or whatever (the instru-
33 ment may be, giving the name of the person creating the trust and of the
34 trustee, and the date of the instrument.)

35 That the said (name of the owner at the time of such loss or destruction of the
36 records) derived his title otherwise than through or under any sale for any tax
37 or assessment, either mediately or immediately as paramount title.

38 Subscribed and sworn to before me this day of, 18.....

39

40 Master in Chancery of the Court County.

§ 9. The affidavit of the witness may be substantially in the following form;
2 and shall be attached to the declaration:

3 AFFIDAVIT OF WITNESSES.

4 STATE OF ILLINOIS, }
5 County, } ss.

6, being duly sworn, says: That he resides at
7, and is well acquainted with (name of person making the
8 claim, and if the declaration is sworn to out of the State, and with his signature,
9 and that the name affixed to the foregoing declaration as claimant is in claimant's
10 handwriting); that such claimant is in the actual possession of the premises (or
11 that the same are now in the actual possession of said claimant, as set forth in
12 the annexed declaration or if the premises are in the declaration claimed to be
13 vacant and unoccupied, the affidavit shall state that the witness is acquainted
14 with the said premises and that the same are vacant and unoccupied as stated in
15 said declaration.)

16 Subscribed and sworn to before me this day of, 18.....

17

18 Master in Chancery of the Court of County.

§ 10. When the master is satisfied of the truth of all the statements contained

in the declaration, he shall attach his certificate thereto, which certificate may be substantially in the following form:

MASTER'S CERTIFICATE.

STATE OF ILLINOIS, }
County, } ss.

I,, Master in Chancery, of the
Court of County, do hereby certify that I am fully satisfied
that (name of claimant) is in the actual possession of the premises described
in the foregoing declaration, and that the facts therein stated as to possession
are true (or if the premises are claimed to be vacant and unoccupied that the
premises described in the foregoing declaration are vacant and unoccupied), and
that the said claimant has paid taxes thereon as required by the act under which
said declaration is made, and that the declaration is made in good faith under
a title derived otherwise than under a sale for a tax or special assessment as
paramount title.

Master in Chancery of the Court of County.

§ 11. Any master in chancery who shall draft such declaration, affidavit and
certificate, and administer the required oaths and make the examination and
certificate as above provided, shall be entitled for such services to the sum of
three dollars (\$3) and no more, and he shall be entitled to such compensation
whether he draft the foregoing papers as they be drafted by other persons.
Appropriate printed forms may be used, and the necessary insertions or erasures
be made therein. The oath to the counter claim herein provided for shall be
administered by one of the masters in chancery in such county, and he shall be
entitled to a fee of one dollar (\$1) therefor. If such Master shall refuse to make
a certificate upon any such declaration because he shall not be satisfied that the
claimant is entitled thereto, he shall nevertheless be entitled to charge and
collect the sum of three dollars (\$3) the same as if he had granted such
certificate.

§ 12. When such declaration, with the annexes and the certificate thereon

2 attached, shall be filed for record in the office of the recorder of deeds in the
3 county where the premises are situated, the same shall be recorded at large in a
4 book or books to be kept especially for that purpose, and all the provisions of the
5 act entitled "An act to revise the law in relation to recorders," shall apply
6 thereto so far as the same may be applicable. But in addition to the indices
7 now required to be kept, the recorder shall keep an index in which shall be
8 entered the description of the real estate in the county in the order, as nearly as
9 may be, in which it is required to be listed for taxes, and as declarations are filed
10 he shall enter opposite the respective tracts, corrected according to the declara-
11 tion, in proper columns, the name of the claimant and the time of filing the
12 declaration, and the book and page where recorded, which said index shall be
13 kept conveniently for the inspection of any person wishing to look at the same.

§ 13. In case of loss or destruction or inability to produce the original
2 declaration or affidavit of identifying witness, or master's certificate, a certified
3 copy thereof, made by the recorder of the proper county, shall be as competent
4 evidence in civil and in criminal cases and in other proceedings as the original
5 document would be if they were produced, and shall be *prima facie* evidence
6 of the identity of the parties purporting to have signed the same.

§ 14. No informality in such declaration, affidavit or certificate shall have
2 the effect to injure or destroy the force intended to be given thereto by
3 this act, or impair its operation as herein provided for, or prevent such declara-
4 tion, affidavit or certificate, or a certified copy thereof, from being used as
5 evidence.

§ 15. After the lapse of three years from the date of filing such declara-
2 tion of title, no suit or action shall be brought to assert any right, title, claim,
3 interest or demand, in or to such real estate, which shall not be derived directly
4 or indirectly, from or through the person who shall be stated in such declaration
5 to have been the owner of said premises at the date of such destruction or loss
6 of such records: *Provided, however,* that any person having any right, title, claim
7 or interest, whether inchoate, contingent or vested, in said premises, which ex-
8 isted at the time of the destruction of the records aforesaid, and upon or for which

9 no cause of action shall have accrued at the date of filing of such declaration may,
10 prior to the expiration of said three years after the filing of such declaration, file
11 a counter claim in said recorder's office, which shall set forth such right, title,
12 claim or interest, and how and under whom derived, and the character and
13 nature thereof, and which said counter claim shall be subscribed and sworn to
14 before a master in chancery in such county; and, if such counter claim be filed,
15 an action may be brought to assert or recover the right, title, claim or interest
16 set forth in such counter claim at any time within one year after the right of
17 action shall have accrued thereon, or at any time within the period of three
18 years after the filing of such original declaration and not afterward. It shall
19 be the duty of a life tenant or trustee to make such counter claim in behalf
20 of any remainder man or reversioner whether the remainder or reversion be
21 at the time vested or contingent.

§ 16. If any false statement shall be made in such declaration as to the
2 ownership at the time of such loss or destruction of the records as aforesaid,
3 such declaration may be annulled and canceled by a suit in chancery brought
4 within seven years from the time of filing such declaration, but not afterward,
5 and be declared to have no force or effect on the application of any person
16 injured or to be affected thereby, but after the lapse of three years from the
7 date of filing such declaration, such declaration shall be conclusive as to the
8 facts therein stated concerning the ownership, at the time of the loss or de-
9 struction of such records when invoked in favor of a purchaser from or under
10 such claimant, except in suits or actions brought within said period or within
11 the period allowed in section fifteen of this act for the bringing of suits or
12 actions to assert or recover any right, title, interest or claim set forth in a
13 counter claim filed for record as provided in said section fifteen.

§ 17. A claimant, or person acting on behalf of such claimant, who shall
2 falsely state that such claimant is in the possession or occupation of such
3 premises in the declaration made by him, or that the same is vacant and
4 unoccupied, or shall knowingly make any other false statement in said declara-
5 tion, shall be guilty of perjury, and upon conviction thereof shall be punished by
6 imprisonment in the penitentiary for not less than three nor more than ten years.

7 Any person who shall become an identifying witness, as required in this act, and
8 shall knowingly and falsely swear to the identity of the claimant to any real
9 estate as hereinbefore provided, or shall knowingly and falsely swear to the
10 occupation of any real estate by such claimant, or that the same is vacant and
11 unoccupied, shall, upon conviction thereof, be adjudged guilty of perjury, and
12 shall be punished by imprisonment in the penitentiary for not less than three
13 nor more than ten years. Any prosecution for any offense created by this act
14 may be commenced within twenty years from the time of committing the
16 offense.

§ 18. Words in this act importing the singular number may extend and be
2 applied to several persons and things, and words importing the plural number
3 may import the singular. Words importing the masculine gender may be
4 applied to females. The word person or persons, as well as all words referring to
5 or importing persons, may extend and be applied to males and females, and to
6 bodies politic and corporate, as well as individuals, and the word "though" shall
7 include "under," and any mode of acquiring title either by purchase or descent.
8 Any person acquiring a lien by judgment, decree or otherwise, upon the real
9 estate so claimed, and any person acquiring title under such lien by virtue of a
10 judicial sale or otherwise shall be considered a purchaser under this act.

John Doe, 1000 1st St.

San Francisco, CA 94101

add to the

list of

10/10/70

in the

the

the

of

1

1. Introduced by Mr. Curtiss, January 13, 1887, and ordered to first reading.
 2. First reading January 13, 1887, and referred to Committee on Roads, Highways and Bridges.
 3. Reported back March 2, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section nineteen (19) of "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section nineteen (19) of "An act in regard to
3 roads and bridges in counties under township organization, and to repeal
4 an act and parts of acts therein named," approved June 23, 1883, and in
5 force July 1, 1883, be, and the same is hereby amended so as to read as
6 follows:

7 "Section 19. When the Commissioners of highways of any town deem
8 it necessary to construct or repair any bridge over a stream, or any ap-
9 proach or approaches thereto, by means of an embankment or trestle work,
10 on a public road in their town, or on, or near to, or across a town line,
11 in which work the town is wholly or in part responsible, said Commis-
12 sioners shall, if they intend to petition the county board for aid, request in
13 writing the board of supervisors of their county to appoint two persons to
14 act jointly with them in considering all questions in relation to said work or
15 improvement; and said two persons shall report to the next meeting of the
16 board of supervisors after such joint action all the facts or details in regard
17 to such work or improvement. When said Commissioners petition said

18 county board for and in such work or improvement, they shall severally verify
19 the same by their affidavits attached thereto, and such petition shall contain
20 the following averments, to wit: That said work or improvement is neces-
21 sary, that a careful and detailed estimate of the cost of the same has been
22 made by a competent person, whose estimate in detail is thereto attached,
23 as exhibit, "A," that the cost of such work or improvement will be more
24 than twenty cents on each one hundred dollars of the last assessment of said
25 town, that the levy of the road and bridge tax for that year in said town
26 was for the full amount on each one hundred dollars allowed by law to be
27 raised for such purpose by the Commissioners, that a major part of which
28 levy is needed in this town for the ordinary repairs of roads and bridges
29 during the present ensuing year, and that such improvement shall not be
30 made more expensive than is actually required therefor. The county board
31 shall, when the foregoing facts exist, appropriate from the county treasury a
32 sum sufficient to meet one-half the expenses of said bridge or other work, on
33 condition that the town asking aid shall furnish the other half of the required
34 amount. The expenditure of these joint funds shall be made by said Com-
35 missioners, and two persons appointed by the board of supervisors, but no
36 part of the money appropriated by said county board shall be expended for
37 said purposes until after the money in the town treasury appropriated for said
38 purpose shall have been expended therefor; and any surplus funds appro-
39 priated by the county board, after the completion of said work, shall lapse
40 into the county treasury and be held to be unappropriated funds in the hands
41 of the county treasurer; provided, that in case of some emergency arising
42 from the sudden destruction or serious damage to a bridge or its approaches,
43 when delay in repairing or rebuilding the same would be detrimental to the
44 public interest, such petition to the county board may be presented during
45 the progress of the work or after its completion, and if the facts appear as
46 contemplated by this section, then the county board shall appropriate one-
47 half of such cost, with like conditions that the town pay the other half."

1. Introduced by Mr. Curtiss, January 13, 1887, and ordered to first reading.
2. First reading January 13, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back March 2, passage recommended, and ordered to second reading.
4. Second reading March 17, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend section nineteen (19) of "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section nineteen (19) of "An act in regard to
3 roads and bridges in counties under township organization, and to repeal an
4 act and parts of acts therein named," approved June 23, 1883, and in force
5 July 1, 1883, be, and the same is hereby amended so as to read as follows:
6 "Section 19. When the commissioners of highways of any town deem it
7 necessary to construct or repair any bridge over a stream, or any approach
8 or approaches thereto, by means of an embankment or trestle work, on a
9 public road in their town, or on, or near to, or across a town line, in which
10 work the town is wholly or in part responsible, said commissioners shall, if
11 they intend to petition the county board for aid, request in writing the board
12 of supervisors of their county to appoint three (3) persons to act jointly with
13 them in considering all questions in relation to said work, as well as the kind
14 of work to be done and the cost thereof or improvement; and said three (3)
15 persons shall report to the next meeting of the board of supervisors after
16 such joint action all the facts or details in regard to such work or improve-

17 ment. When said commissioners petition said county board for aid in such
18 work or improvement, they shall severally verify the same by their affidavits
19 attached thereto, and such petition shall contain the following averments,
20 to-wit: That said work or improvement is necessary, that a careful and
21 detailed estimate of the cost of the same has been made by a competent
22 person, whose estimate in detail is thereto attached, as exhibit "A," that
23 the cost of such work or improvement will be more than twenty cents on
24 each one hundred dollars of the last assessment of said town, that the
25 levy of the road and bridge tax for that year in said town was for the
26 full amount on each one hundred dollars allowed by law to be raised for
27 such purpose by the commissioners, that a major part of which levy is
28 needed in this town for the ordinary repairs of roads and bridges during the
29 present ensuing year, and that such improvement shall not be made more
30 expensive than is actually required therefor. The county board shall, when
31 the foregoing facts exist, appropriate from the county treasury a sum suffi-
32 cient to meet one-half the expenses of said bridge or other work, on condition
33 that the town asking aid shall furnish the other half of the required amount.
34 The expenditure of these joint funds shall be made by said commissioners,
35 and three (3) persons appointed by the board of supervisors, but no part of
36 the money appropriated by said county board shall be expended for said pur-
37 poses until after the money in the town treasury appropriated for said purpose
38 shall have been expended therefor; and any surplus funds appropriated by the
39 county board, after the completion of said work, shall lapse into the county
40 treasury and be held to be unappropriated funds in the hands of the county
41 treasurer; provided, that in case of some emergency arising from the sudden
42 destruction or serious damage to a bridge or its approaches, when delay in
43 repairing or rebuilding the same would be detrimental to the public interest,
44 such petition to the county board may be presented during the progress of
45 the work or, after its completion, and if the facts appear as contemplated by
46 this section, then the county board shall appropriate one-half of such cost
47 with like conditions that the town pay the other half."

1. Introduced by Mr. Sumner, January 17, 1887, and ordered to first reading.
2. First reading January 17, 1887, and referred to Committee on Judicial Department.
3. Reported back with amendments, passage recommended, and ordered to second reading.
4. Second reading February 4, 1887, amended, and ordered to third reading.

A BILL

For An Act concerning Villages and Incorporated Towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the president of any village or incorporated town in this State shall not hereafter be elected by the trustees of such village or incorporated town, nor be entitled to vote as a trustee of such village or town, but the president of each and every village and incorporated town shall hereafter be elected annually by the voters of such village or town, at the regular election of such village or town, commencing with the election of such village or town held in the year A. D. 1887; and such president of any village or incorporated town shall hold his office for the term of one year and until his successor is elected and qualified. The president of any village or incorporated town shall not vote except in case of a tie, when he shall give the casting vote.

§ 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 3. WHEREAS, there are a number of villages and incorporated towns in this State in which business is delayed, or prevented, by reason of the present law, and the public interest is jeopardized thereby, and an emergency exists, therefore this act shall be in force from and after its passage.

1. Introduced by Mr. Curtiss, January 17, 1887, and ordered to first reading.
2. First reading January 17, 1887, and referred to Committee on Appropriations.
3. Reported back January 25, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the expenses of moving flags and trophies to the new Memorial Hall, and to pay for the alteration and extension of cases and for the furniture and fixtures of said Memorial Hall, to pay the Illinois National Guard for services in St. Clair and Cook counties during the year 1886; to pay for blankets; and to pay the incidental expenses of such services, including a clothing allowance to each enlisted man, and to pay the expenses of the Illinois National Guard for the year ending June 30, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the following sums, or so much thereof as may*
3 *be required, are hereby appropriated to the Adjutant General, to be expended*
4 *by him for the purposes hereinafter named, to-wit:*

5 *First—To pay the expenses of moving the flags and trophies to the new*
6 *Memorial Hall, and to pay for the alteration and extension of cases, and for*
7 *the furniture and fixtures of said Memorial Hall the sum of seventeen hundred*
8 *dollars (\$1,700.)*

9 *Second—To pay the Illinois National Guard for services in St. Clair and*
10 *Cook counties during the year 1886; to pay for blankets, and to pay for the*
11 *contingent expenses incurred by said service, including a clothing allowance of*
12 *five dollars to each enlisted man performing said service, the sum of sixty*
13 *thousand seven hundred and four dollars and seven cents (\$60,704.07.)*

14 *Third*—To pay the expenses of the Illinois National Guard for the year end-
15 ing June 30th, 1887, the sum of ten thousand dollars (\$10,000.)

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant upon the State Treasurer for the sums herein specified, upon
3 presentation of proper vouchers duly certified to by the Adjutant General and
4 approved by the Governor, and the State Treasurer shall pay the same out of
5 any funds in the State Treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the expenses
2 incurred in quelling riots, and by the use of the Illinois National Guard in
3 aiding the civil power to execute the law; and,

4 Whereas, no appropriation has been made for the payment of the sums afore-
5 said, therefore an emergency exists, and this act shall take effect and be in
7 force from and after its passage.

-
1. Introduced by Mr. Bell, January 17, 1887, and ordered to first reading.
 2. First reading January 17, 1887, and referred to Committee on Judiciary.
 3. Reported back April 13 1887, passage recommended and ordered to second reading.

A BILL

For An Act to regulate the description of paper money in cases of larceny.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
- 2 *in the General Assembly, That in the cases of the larceny of paper money,*
 - 3 *involving proof of the kind of paper money taken, it shall not be necessary to*
 - 4 *aver and prove an exact description of the money so taken, but it shall be*
 - 5 *sufficient to describe such money as currency money of the United States.*

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading May 31, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section fifty-seven (57) of division I of an act entitled, "An act to revise the law in relation to Criminal Jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section fifty-seven (57) Division I, of an act
3 entitled "An act to revise the law in relation to Criminal Jurisprudence,"
4 approved March 27, 1874, in force July 1, 1874, be amended so as to read as
5 follows:
6 "Section 57. [Disorderly house—ill-fame.] Whoever keeps or maintains a
7 house of ill-fame, or a place for the practice of prostitution or lewdness, or
8 whoever patronizes the same, or lets any house, room or other premises for any
9 such purpose, or shall keep a common, ill-governed and disorderly house, to the
10 encouragement of idleness, gaming, drinking, fornication or other misbehavior,
11 shall be fined not exceeding two hundred dollars (\$200). When the lessee or
12 keeper of a dwelling house or other building is convicted under this section,
13 such conviction shall be a sufficient notice to the lessor as to the character of
14 the premises so used, and the lease or contract for the letting of the premises
15 shall at the option of the lessor become void, and the lessor may have the like
16 remedy to recover possession as against a tenant holding over after the expira-
17 tion of his term, and for a second or any subsequent like conviction such lease
18 or contract shall thereupon become void, reserving, however, to the lessor the

19 same rights of recovery or possession as heretofore. And whoever shall lease to
20 another any house, room or other premises, in whole or in part, for any of the
21 uses or purposes finable under this section, or knowingly permits the same to be
22 so used or occupied, after such conviction, shall be fined not exceeding two
23 hundred dollars (\$200), and the house or premises so leased, occupied or used,
24 shall be held liable for and may be sold for any judgment obtained under this
25 section, but if such building or premises belongs to a minor or other person
26 under guardianship, then the guardian or conservator and his property shall
27 be liable instead of such ward, and his property shall be subject to be sold
28 for the payment of said judgment."

1. Introduced by Mr. Cochran, January 17, 1887, and ordered to first reading.
 2. First reading January 17, 1887, and referred to Committee on Judiciary.
 3. Reported back, passage recommended, and ordered to second reading.
-

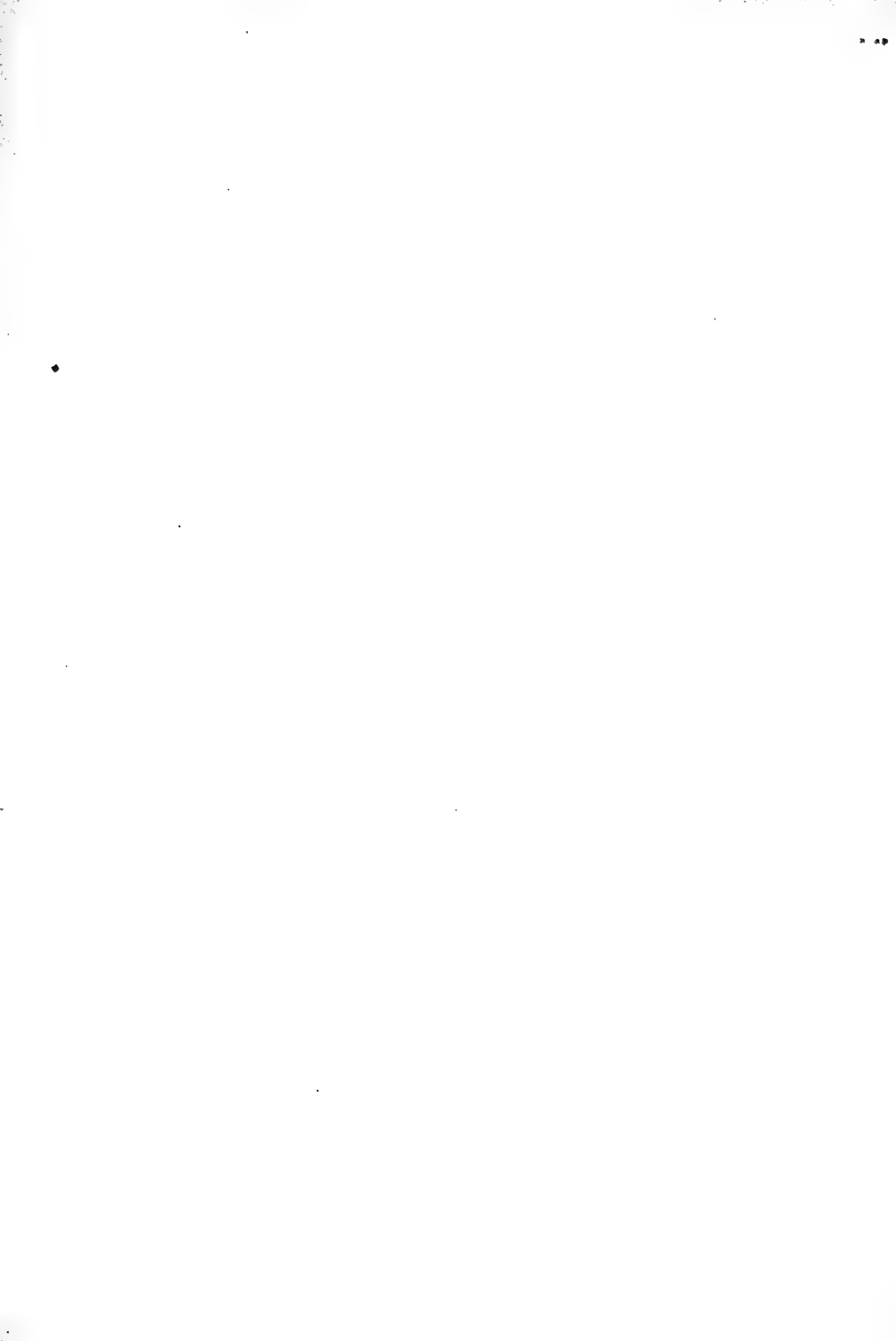
A BILL

For An Act to amend section one (1) of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly,* That section one (1) of an act entitled "An act in
3 regard to evidence and depositions in civil cases," approved March 29, 1872,
4 in force July 1, 1872, be and the same is hereby amended so as to read as
5 follows:

6 "Section 1. That no person shall be disqualified as a witness in any civil
7 action, suit or proceeding, except as hereinafter stated, by reason of his or
8 her interest in the event thereof, as a party or otherwise, or by reason of his
9 or her conviction of any crime; but such interest or conviction may be
10 shown for the purpose of affecting the credibility of such witness, and the
11 fact of such conviction may be proven like any fact not of record, either by
12 the witness himself (who shall be compelled to testify thereto) or by any
13 other witness cognizant of such conviction, as impeaching testimony, or by
14 any other competent evidence; and, except where by law a subscribing wit-
15 ness is necessary to the validity of an instrument, it shall not be necessary
16 in civil or criminal trials to call as a witness the subscribing witness to
17 an instrument, but such instrument may be proved in the same manner
18 as if there was no subscribing witness thereto."



1. Received from House April 7, 1887, and ordered to first reading.
2. First reading April 7, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back April 22, 1887, and referred to Committee on Appropriations.
4. Reported back May 5, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act to incorporate the Illinois Industrial Home for the Blind, and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for the manual training and furnishing of employment to the blind, a corporation is hereby created, to be known and designated as the Illinois Industrial Home for the Blind, and to have perpetual succession, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to receive by any legal mode of transfer or conveyance, and to have, hold, and use property of every description, but not to sell or convey any such property, and such property shall be held in trust as the property of the State; also to have and to use a common seal, with the power to change the same; also to adopt by-laws, rules and regulations for the government of its members, officers, agents, employees and inmates: Provided, such by-laws shall not be contrary to the letter or spirit of the constitution of the State of Illinois, or of the United States.*

§ 2. The object of said corporation shall be to promote the welfare of the blind by teaching them trades and affording them a home and such employment as shall best tend to make them self-supporting, and consequently independent, using therefor the best known means and appliances.

§ 3. The trustees shall not exceed five in number. Said trustees shall be appointed by the Governor of the State of Illinois, with the advice and consent of the Senate, shall serve without compensation; their term of service shall be two years respectively, and until their successors are appointed and qualified: *Provided*, that three of said trustees shall be selected from members of the majority political party of this State and the remainder from the minority political party or parties.

§ 4. Each of said trustees shall be paid his or her traveling expenses while in the service of the Home, out of the funds appropriated for its use, upon filing in the office of the Auditor of Public Accounts the vouchers of said trustee, stating in detail the items of all such expenses, and the Auditor shall thereupon issue his warrant upon the State Treasurer, in favor of such trustee for the amount thereof and charge the same to the fund appropriated to said institution.

§ 5. No trustee shall be directly or indirectly interested in any contract to be made by said trustees, nor shall any of them be appointed to, or employed in any office or position under their control or authority, to which a salary is attached.

§ 6. The said trustees shall have charge of the general interests of the Home, and shall annually by ballot elect a superintendent to serve during the will and pleasure of said trustees, who shall fix his salary, which shall not exceed fifteen hundred dollars a year, and he, with their consent, shall employ all necessary assistants, instructors, and other employes. The said trustees, or a majority of them, when regularly convened, shall constitute a board, which shall possess and exert all the powers of said trustees, and shall have power by ballot to elect a president, secretary, and treasurer, the president and secretary to be selected from their own number, and said board shall prescribe the duties and fix the terms of service of said officers of said board.

§ 7. The superintendent shall exercise official control over all subordinate officers, instructors, assistants, and employes, and shall be held responsible for their fidelity.

§ 8. Apprentices placed by their parents or guardians in the Home shall
2 be required to conform to its rules and regulations.

§ 9. The board shall, annually before December 15th, report to the Governor
2 of the State, the number of applications received, persons admitted, instructed,
3 and discharged; also the progress made and work accomplished, and all other
4 matters of general interest to the people of the State of Illinois in regard
5 thereto, together with a full, explicit, and detailed statement of all money
6 received and disbursed during the year.

§ 10. The said trustees shall meet monthly during the first year, and
2 at least quarterly thereafter, to examine and audit all the accounts of the
3 Home, and make requisitions on the Auditor of Public Accounts for funds
4 required for use during the succeeding month or quarter, from funds which
5 have been appropriated for the establishment and maintenance of the
6 institution.

§ 11. The Auditor of Public Accounts is hereby authorized and required
2 to draw his warrants on on the Treasurer of the State for all sums which
3 shall or may be appropriated and remain undrawn or unexpended, for the
4 use of said institution by the General Assembly, upon the order of the
5 Board of Trustees of the Illinois Industrial Home for the Blind, when
6 signed by the president and attested by the secretary of said board, with
7 the seal of said institution.

§ 12. The sum of one hundred thousand dollars is hereby appropriated
2 for the purchase of lands, grounds or real estate in the county of Cook
3 and State of Illinois, and for the purpose of erecting thereon suitable
4 buildings, and fitting and furnishing the same appropriately for the Illinois
5 Industrial Home for the Blind, and also for the purpose of conducting
6 therein workshops for the manual training and employment of the blind,
7 defraying the expenses of boarding the inmates while necessary, and the
8 payment of its superintendent, instructors, assistants and employes, which
9 sum of money is to be expended under the safeguards hereinbefore
10 provided.

AMENDMENTS PROPOSED BY SENATE COMMITTEE ON
APPROPRIATIONS.

Amend written bill by inserting after the word "property" and before the word "and" in line 13, page 1 of said bill, the following words: "except the goods, wares, merchandise and other personal property prepared by said Home for sale."

Also, amend section 6, on page 4, by inserting after the word "salary," and before the word "shall," in line 3, on said page, the word "which."

Also, amend by adding the following to section 12: "*Provided*, at least the sum of sixty thousand dollars (\$60,000) shall be expended in the purchase of real estate and buildings for the use of said Industrial Home for Blind: *Provided, however*, no real estate shall be purchased until the title to the same shall have been examined by the Attorney General of the State."

AMENDMENT ADOPTED BY SENATE TO H. B. NO. 41, ON MAY

11, 1887.

Amend committee amendments by inserting after the word "blind" in
2 line 10 of amendments as printed, the words, "and no more than one
3 thousand dollars (\$1,000) shall be expended in constructing and furnishing
4 rooms for officers."

1. Introduced by Mr. Cochran, January 17, 1887, and ordered to first reading.
2. First reading January 17, 1887, and referred to committee on Judicial Department.
3. Reported back February 18 with amendments, passage recommended, and ordered to second reading.
4. Second reading March 16, 1887, amended, and ordered to a third reading.

A BILL

For an Act to amend section eight (8) of an act entitled "An act to establish Appellate Courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section eight (8) of an act entitled "An act to establish Appellate Courts," approved June 2, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:

"Section 8. The said Appellate courts created by this act shall exercise appellate jurisdiction only, and have jurisdiction of all matters of appeal, or writs of error from the final judgments, orders or decrees of any of the circuit courts, or the Superior Court of Cook county, or county courts, or from the city courts in any suit or proceeding at law, or in chancery other than criminal cases, and misdemeanors, and cases involving a franchise or freehold or the validity of a statute. Appeals and writs of error shall lie from the final orders, judgments or decrees of the circuits and city courts, and from the Superior Court of Cook county directly to the Supreme Court, in all criminal cases involving a franchise or freehold or the validity of a statute. In all cases determined in said Appellate Courts, in actions *ex contractu*, wherein the amount involved is less than one thousand dollars (\$1,000), exclusive of costs, and in all cases sounding in damages, wherein the judgment of the court below, is less than one thousand dollars (\$1,000), exclusive of cost, and the judgment is affirmed

19 or otherwise finally disposed of in the Appellate Court, the judgment, order or
20 decree of the Appellate Court shall be final, and no appeal shall lie or writ
21 of error be prosecuted therefrom: *Provided*, the term *ex-contractu* as used in
22 this section shall not be construed to include actions involving a penalty. In
23 all other cases appeals shall lie and writs of error may be prosecuted from the
24 final judgments, orders or decrees of the Appellate Courts to the Supreme
25 Court: *Provided, also*, that in any case a majority of the judges of the Appel-
26 late Court shall be of opinion that a case decided by them involving a less sum
27 than one thousand dollars (\$1,000), exclusive of costs, also involves questions
28 of law of such importance, either on account of principal or collateral interest,
29 as that it should be passed upon by the Supreme Court, they may in such
30 cases grant appeals and writs of error to the Supreme Court, on petition of
31 parties to the cause; in which case the said Appellate Court shall certify to
32 the Supreme court the grounds of granting said appeal: *And, provided fur-*
33 *ther*, that in all actions where there was no trial on an issue of fact in the
34 lower court, appeals and writs of error shall lie from the Appellate Courts to
35 Supreme Court where the amount claimed in the pleadings exceed one thousand
36 dollars (\$1,000).

1. Introduced by Mr. Cochran, January 17, 1887, and ordered to first reading.
2. First reading January 17, 1887, and referred to committee on Judicial Department.
3. Reported back February 18 with amendments, passage recommended, and ordered to second reading.
4. Second reading March 16, 1887, amended, and ordered to a third reading.

A BILL

For an Act to amend section eight (8) of an act entitled "An act to establish Appellate Courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section eight (8) of an act entitled "An act to establish Appellate Courts," approved June 2, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:*

"Section 8. The said Appellate courts created by this act shall exercise appellate jurisdiction only, and have jurisdiction of all matters of appeal, or writs of error from the final judgments, orders or decrees of any of the circuit courts, or the Superior Court of Cook county, or county courts, or from the city courts in any suit or proceeding at law, or in chancery other than criminal cases, and misdemeanors, and cases involving a franchise or freehold or the validity of a statute. Appeals and writs of error shall lie from the final orders, judgments or decrees of the circuits and city courts, and from the Superior Court of Cook county directly to the Supreme Court, in all criminal cases involving a franchise or freehold or the validity of a statute. In all cases determined in said Appellate Courts, in actions *ex contractu*, wherein the amount involved is less than one thousand dollars (\$1,000), exclusive of costs, and in all cases sounding in damages, wherein the judgment of the court below, is less than one thousand dollars (\$1,000), exclusive of cost, and the judgment is affirmed

19 or otherwise finally disposed of in the Appellate Court, the judgment, order or
20 decree of the Appellate Court shall be final, and no appeal shall lie or writ
21 of error be prosecuted therefrom: *Provided*, the term *ex-contractu* as used in
22 this section shall not be construed to include actions involving a penalty. In
23 all other cases appeals shall lie and writs of error may be prosecuted from the
24 final judgments, orders or decrees of the Appellate Courts to the Supreme
25 Court: *Provided, also*, that in any case a majority of the judges of the Appel-
26 late Court shall be of opinion that a case decided by them involving a less sum
27 than one thousand dollars (\$1,000), exclusive of costs, also involves questions
28 of law of such importance, either on account of principal or collateral interest,
29 as that it should be passed upon by the Supreme Court, they may in such
30 cases grant appeals and writs of error to the Supreme Court, on petition of
31 parties to the cause; in which case the said Appellate Court shall certify to
32 the Supreme court the grounds of granting said appeal: *And, provided fur-*
33 *ther*, that in all actions where there was no trial on an issue of fact in the
34 lower court, appeals and writs of error shall lie from the Appellate Courts to
35 Supreme Court where the amount claimed in the pleadings exceed one thousand
36 dollars (\$1,000).

1. Introduced by Mr. Thompson, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Appropriations.
3. Reported back March 3, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the University of Illinois.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
- 2 *in the General Assembly,* That there be, and hereby is appropriated to the
- 3 University of Illinois, at Urbana, for the payment of taxes accruing in
- 4 the years 1886 and 1887, on lands owned and held by the State for the
- 5 use of the said institution, in the county of Gage, in the State of Nebraska,
- 6 and in the counties of Pope, Kardiyohi and Renville, in the State of
- 7 Minnesota, the sum of two thousand dollars (\$2,000) per annum.
- 8 For current repairs and improvements in buildings and grounds of the
- 9 said university, during the years 1887 and 1888, the sum of three thousand
- 10 dollars (\$3,000) per annum.
- 11 For the purchase of apparatus and materials for the several scientific
- 12 departments of the university for the years 1887 and 1888, two thousand
- 13 dollars (\$2,000) per annum.
- 14 For the current expenses of the practical education of students in the
- 15 mechanical shops of the said university for the years 1887 and 1888, one
- 16 thousand five hundred dollars (\$1,500) per annum.
- 17 For the university library and museum for the years 1887 and 1888, to-wit:
- 18 For the purchase of books and publications and for binding the same, one
- 19 thousand five hundred dollars (\$1,500) per annum; for collecting, preparing

20 and mounting specimens, for the cabinets of geology, mineralogy and
 21 natural history, one thousand dollars (\$1,000) per annum.

22 For the current expenses of instruction in the several departments of the
 23 university for the years 1887 and 1888, eighteen thousand dollars (\$18,000)
 24 per annum.

25 For the purchase of machinery for the equipment of an elaboratory of
 26 mining engineering and metallurgy, two thousand dollars (\$2,000) per annum.

§ 2. The auditor of public accounts is hereby authorized and directed
 2 to draw his warrant on the Treasurer for the sums hereby appropriated,
 3 payable out of any money in the treasury not otherwise appropriated, upon
 4 the order of the president of the board of trustees of the said University
 5 of Illinois, attested by its secretary, and with the corporate seal of the
 6 university: *Provided*, That no part of the said sums shall be due and
 7 payable to the said institution until satisfactory vouchers in detail, approved
 8 by the Governor, shall be filed with the Auditor for all previous expendi-
 9 tures incurred by the institution on account of appropriations heretofore
 10 made: *And provided further*, that vouchers shall be taken in duplicate,
 11 and original and duplicate vouchers shall be forwarded to the Auditor of
 12 Public Accounts for the expenditures of the sums appropriated under this
 13 act.

AMENDMENT PROPOSED BY THE COMMITTEE ON APPROPRI- ATIONS.

Amend by striking out the word "eighteen" in line 2 on page 2, and
 2 insert the word "sixteen." Also by striking out the figures "(18)" in line
 3 3 on page 2, and insert "(16)."

1. Introduced by Mr. Thompson, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Appropriations.
3. Reported back March 3, with amendments, passage recommended and ordered to second reading.
4. Second reading March 26, 1887, amended, and ordered to third reading.

A BILL

For An Act making appropriations for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That there be, and hereby is appropriated to the
3 University of Illinois, at Urbana, for the payment of taxes accruing in the
4 years 1886 and 1887, on lands owned and held by the State for the use of the
5 said institution, in the County of Gage, in the State of Nebraska, and in the
6 counties of Pope, Kandiyohi and Renville, in the State of Minnesota, the sum
7 of one thousand seven hundred and fifty dollars (\$1,750) per annum.

8 For current repairs and improvements in buildings and grounds of the said
9 university, during the years 1887 and 1888, the sum of two thousand dollars
10 (\$2,000) per annum.

11 For the purchase of apparatus and materials for the several scientific depart-
12 ments of the university for the years 1887 and 1888, one thousand five hundred
13 dollars (\$1,500) per annum.

14 For the university library and museum for the years 1887 and 1888, to-wit:
15 For the purchase of books and publications and for binding the same, one
16 thousand five hundred dollars (\$1,500) per annum, for collecting, preparing
17 and mounting specimens, for the cabinets of geology, mineralogy and natural
18 history, one thousand dollars (\$1,000) per annum.

19 For the current expenses of instruction in the several departments of the
20 university for the years 1887 and 1888, sixteen thousand dollars (\$16,000) per
21 annum.

22 For the purchase of machinery for the equipment of an elaboratory of mining,
23 engineering and metallurgy, two thousand dollars (\$2,000) per annum.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the Treasurer for the sums hereby appropriated, payable
3 out of any money in the treasury and not otherwise appropriated, upon the
4 order of the president of the board of trustees of the said University of Illinois,
5 attested by its secretary, and with the corporate seal of the university. *Provided*,
6 that no part of the said sums shall be due and payable to the said institution
7 until satisfactory vouchers in detail, approved by the Governor, shall be filed
8 with the Auditor for all previous expenditures incurred by the institution on
9 account of appropriations heretofore made: *And provided further*, that vouch-
10 ers shall be taken in duplicate, and original or duplicate vouchers shall be
11 forwarded to the Auditor of Public Accounts for the expenditures of the sums
12 appropriated under this act.

1. Introduced by Mr. Garrity, January 18, 1887, and ordered to first reading.
 2. First reading January 18, 1887, and referred to Committee on Corporations.
 3. Reported back February 8, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section two (2) of article three (3) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of article (3) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, be, and the same is hereby amended so that it will read as follows:

"Section 2. The number of aldermen when not elected by the minority representation plan shall be as follows: In cities not exceeding three thousand inhabitants, six aldermen; exceeding three thousand, but not exceeding five thousand, eight aldermen; exceeding five thousand, but not exceeding ten thousand, ten aldermen; exceeding ten thousand and not exceeding thirty thousand, fourteen aldermen, and two additional aldermen for every twenty thousand inhabitants over thirty thousand: *Provided*, that in cities containing over 100,000 inhabitants, there shall be elected fifty aldermen and no more."

§ 2. By reason of elections occurring in April an emergency is declared to exist, and this law shall be in force after its passage.

1. Introduced by Mr. McGrath, January 8, 1887, and ordered to first reading.
2. First reading January 8, 1887, and referred to Committee on Judiciary.
3. Reported back, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eight of an act entitled "An act to establish appellate courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section eight of an act entitled "An act to
3 establish appellate courts," be hereby amended to read as follows:

4 "Section 8. The said appellate courts created by this act shall exercise
5 appellate jurisdiction only, and have jurisdiction of all matters of appeal, or
6 writs of error from the final orders. Judgments, appeals and writs of error
7 shall lie from the final orders, judgments or decrees of the circuit and city
8 courts, and from the superior court of Cook county, directly to the supreme
9 court in all criminal cases and in cases involving a franchise or freehold, or
10 the validity of a statute, or decrees of any of the circuit courts, or the
11 superior court of Cook county, or from the city courts, in any suit or pro-
12 ceeding at law or in chancery, other than criminal cases, and cases involving
13 a franchise or freehold, or the validity of a statute. In all cases determined
14 in said appellate courts in actions *ex contractu*, wherein the amount involved is
15 less than one thousand dollars, exclusive of costs; and in all cases sounding
16 in damages, wherein the judgment of the court below is less than one
17 thousand dollars exclusive of cost, and the judgment is affirmed or otherwise
18 finally disposed of in the appellate court, except in actions for personal injuries,
19 the judgment, order or decree of the appellate court shall be final, and no

20 appeal shall lie or writ of error be prosecuted therefrom: *Provided*, the term
21 *ex contractu*, as used in this section, shall not be construed to include actions
22 involving a penalty. In all other cases, appeals shall lie, and writs of error
23 may be prosecuted from the final judgments, orders or decrees of the appellate
24 courts to the supreme court: *Provided, also*, that in case a majority of the
25 judges of the appellate court shall be of opinion that a case decided by them
26 involving a less sum than one thousand dollars, exclusive of costs, also
27 involves questions of law of such importance either on account of principal
28 or collateral interests, as that it should be passed upon by the supreme court,
29 they may in such cases grant appeals and writs of error to the supreme
30 court on petition of parties to the cause, in which case the said appellate
31 court shall certify to the supreme court the grounds of granting said appeal."

1. Introduced by Mr. Reinhardt, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Canals and Rivers.
3. Reported back February 9, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the necessary repairs and running expenses of the Illinois and Michigan Canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That, for the purpose of making necessary repairs and providing means to put and keep the Illinois and Michigan Canal in navigable condition, until after the adjournment of the next General Assembly, there is hereby appropriated from the State Treasury, for the first year the sum of thirty thousand dollars (\$30,000), and for the second year the sum of thirty thousand dollars (\$30,000), or so much of each as may be absolutely necessary for that purpose: Provided, that no portion of the money hereby appropriated, shall be used for the purpose above specified until all the surplus earnings of the canal have been fully exhausted in making needed repairs and defraying necessary expenses of operating said canal.*

§ 2. The appropriations made by this act shall be paid upon detailed statements made by the Canal Commissioners, filed with the Auditor, bearing the order of the Canal Commissioners and the approval of the Governor.

§ 3. Said Board of Canal Commissioners shall keep an accurate and
2 detailed account of all moneys received by them from every source, to
3 gether with their disbursements and expenditures of every kind and nature,
4 and at the end of each quarter transmit to the Auditor of Public Accounts
5 a full and complete statement, showing in detail, the amount of money
6 received during said preceding quarter, from every source, and how and to
7 whom the same has been disbursed.

1. Introduced by Mr. Reinhardt, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Canals and Rivers.
3. Reported back March 9, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back March 30, 1887, with amendments, passage recommended, and ordered to a second reading.

A BILL

For An Act making appropriations for the necessary repairs and running expenses of the Illinois and Michigan Canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That, for the purpose of making necessary repairs
3 and providing means to put and keep the Illinois and Michigan Canal in
4 navigable condition, until after the adjournment of the next General Assem-
5 bly, there is hereby appropriated from the State Treasury, for the first year
6 the sum of thirty thousand dollars (\$30,000), and for the second year the sum
7 of thirty thousand dollars (\$30,000), or so much of each, as may be absolute-
8 ly necessary for that purpose: *Provided, that no portion of the money here-*
9 *by appropriated shall be used for the purpose above specified, until all the*
10 *surplus earnings of the canal have been fully exhausted in making needed*
11 *repairs and defraying necessary expenses of operating said canal.*

§ 2. The appropriations made by this act shall only be paid upon detailed
2 statements made by the Canal Commissioners, filed with the Auditor, bearing
3 the order of the Canal Commissioners and the approval of the Governor.

§ 3. Said Board of Canal Commissioners, shall keep an accurate and de-
2 tailed account of all moneys received by them from every source, together

3 with their disbursements and expenditures of every kind and nature, and at
 4 the end of each quarter transmit to the Auditor of Public Accounts a full and
 5 complete statement, showing in detail the amount of money received during
 6 said preceding quarter, from every source, and how and to whom the same
 7 has been disbursed.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIA
 TIONS TO SENATE BILL No. 48.

Amend by inserting after the word "dollars" in line 15 of written bill
 2 the following:

3 "*Provided*, that the Canal Commissioners may use not to exceed five
 4 thousand dollars of the money appropriated in this item for the purpose
 5 of paying the expenses of the litigation now pending relating to the Lake
 6 Front adjacent to the city of Chicago. All funds used for the purposes of
 7 such litigation shall be expended as directed by the Attorney-General of
 8 Illinois."

9 Also amend line 15 page 1 of written bill by striking out the word
 10 "thirty" and inserting in lieu thereof the word "twenty."

11 Also amend in same line by striking out the figures "30,000" and in-
 12 sert the figures "20,000" in lieu thereof.

13 Also amend line 16 by striking out the word "thirty" and insert the
 14 word "twenty" in lieu thereof.

15 Also amend line 17 by striking out the figures "30,000" and insert the
 16 figures "20,000."

1. Introduced by Mr. Reinhardt, January 18, 1887, and ordered to first reading.
 2. First reading January 18, 1887, and referred to Committee on Canals and Rivers.
 3. Reported back March 9, 1887, passage recommended, and referred to Committee on Appropriations.
 4. Reported back March 30, 1887, with amendments, passage recommended, and ordered to a second reading.
 5. Second reading April 9, 1887, amended, and ordered to third reading.
-

A BILL

For An Act making appropriations for the necessary repairs and running expenses of the Illinois and Michigan Canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That for the purpose of making necessary repairs
3 and providing means to put and keep the Illinois and Michigan Canal in
4 navigable condition, until after the adjournment of the next General Assem-
5 bly, there is hereby appropriated from the State Treasury, for the first year
6 the sum of twenty thousand dollars (\$20,000): *Provided, that the Canal*
7 *Commissioners may use not to exceed five thousand dollars of the money*
8 *appropriated in this item for the purpose of paying the expenses of the litiga-*
9 *tion now pending relating to the Lake Front adjacent to the city of Chicago.*
10 All funds used for the purposes of such litigation shall be expended as directed
11 by the Attorney-General of Illinois. And for the second year the sum of
12 twenty thousand dollars (\$20,000), or so much of each, as may be absolutely
13 necessary for that purpose: *Provided, that no portion of the money here-*
14 *by appropriated shall be used for the purpose above specified, until all the*
15 *surplus earnings of the canal have been fully exhausted in making needed*
16 *repairs and defraying necessary expenses of operating said canal.*

§ 2. The appropriations made by this act shall only be paid upon detailed
2 statements made by the Canal Commissioners, filed with the Auditor, bearing
the order of the Canal Commissioners and the approval of the Governor.

§ 3. Said Board of Canal Commissioners, shall keep an accurate and de-
2 tailed account of all moneys received by them from every source, together
3 with their disbursements and expenditures of every kind and nature, and at
4 the end of each quarter transmit to the Auditor of Public Accounts a full and
5 complete statement, showing in detail the amount of money received during
6 said preceding quarter, from every source, and how and to whom the same
7 has been disbursed.

1. Received from House April 21, 1887.
2. First reading April 21, 1887, and ordered to second reading without reference.

A BILL

For An Act to regulate the sale of intoxicating liquors outside the incorporated limits of cities, towns and villages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That whoever shall, outside of the incorporated limits of any city, town or village, by himself or another, either as principal, clerk or servant, directly or indirectly, sell barter or exchange, or in any manner dispose of, for money or any thing of value, any intoxicating liquors of any kind in any less quantity than five gallons and in the original package as put up by the manufacturer shall, for each offense be fined not less than fifty nor more than one hundred dollars, or imprisoned in the county jail not less than thirty nor more than ninety days, or both, in the discretion of the court.

§ 2. Any shift or device to evade the provisions of this act shall be held to be an unlawful selling.

§ 3. Any fine or imprisonment mentioned in this act must be enforced by indictment or information in any court of record having criminal jurisdiction, or the fine above may be sued for and recovered before any justice of the peace of the proper county in the name of the People of the State of Illinois, and in case of conviction the offender shall stand committed to the county jail until the cost and judgment are fully paid or until discharged by order of the court before which the conviction was obtained.

§ 4. In all prosecutions under this act by indictment or otherwise it shall not be necessary to state the kind of liquor sold, or to describe the place

3 where sold except as herein required, nor to show the knowledge of the
4 principal to convict for the acts of an agent or servant, nor to state the
5 name of the person to whom liquor is sold, and in all cases the persons to
6 whom liquors shall be sold in violation of this act shall be competent witness.

§ 5. Nothing contained herein shall be construed so as to prevent county
2 boards from granting license to keep dram shops, as is now provided by law,
3 and all persons keeping dram shops so licensed shall be exempt from the pro-
4 visions of this act.

1. Introduced by Mr. Curtiss, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act providing for the study of the nature and effect of alcoholic beverages, stimulants and narcotics upon the human system by the pupils of suitable age in all schools in this State supported by public money or under State control.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the proper legal school authorities of this State are hereby given the power, and it is hereby made their duty to have all pupils of suitable age in all schools of Illinois, supported by public money, or under State control, instructed in physiology and hygiene, with special reference to the effects of alcoholic beverages, stimulants and narcotics upon the human system, which branches of study shall be taught in all of said schools, and as thoroughly and in the same manner as other branches of study are required to be taught in said schools.

§ 2. That it is hereby made the duty of the persons and officers in control of any school described in the foregoing section to enforce the provisions of this act; and any such person, officer, school director, superintendent or teacher who shall wilfully neglect, refuse or fail to comply with the provisions of this act, or who shall wilfully refuse, neglect or fail to make proper provisions for the instruction required by the foregoing section, for all of said pupils under his jurisdiction, shall be deemed guilty of a misde-

1. Introduced by Mr. Curtiss, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1887, passage recommended, and ordered to second reading.
4. Second reading March 2, 1887, amended, ordered to third reading.

A BILL

For An Act to amend section 50 of an act entitled "An act to establish and maintain a system of Free Schools," approved April 1, 1872, in force July 1, 1872, as amended by an act approved March 30, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section fifty of an act entitled "An act to
3 establish and maintain a system of free schools," approved April 1, 1872,
4 in force July 1, 1872; as amended by an act approved March 30, 1874, in
5 force July 17, 1874, be, and is hereby amended so as to read as follows:
6 "Section 50. After the first day of July, A. D. 1888, no teacher shall
7 be authorized to teach a common school under the provisions of this act,
8 who is not of good moral character, and who does not possess a certifi-
9 cate as required by this section. It shall be the duty of the county super-
10 intendent to grant certificates to such persons as may, upon due exami-
11 nation, be found qualified; and said certificates shall be of two grades—
12 those of the first grade shall be valid for two years, and shall certify that
13 the person to which such certificate is given, is qualified to teach ortho-
14 graphy, reading in English, penmanship, arithmetic, English grammar,
15 modern geography, the elements of the natural sciences, the history of

16 the _____, physiology, and the laws of health including the physio-
17 logy and hygiene of alcoholic stimulants, with special reference to their effects
18 upon the human system. Certificates of the second grade shall be valid
19 for one year, and shall certify that the person to whom such certificate
20 is given, is qualified to teach orthography, reading in English, penman-
21 ship, arithmetic, English grammar, modern geography, the history of the
22 United States, physiology, and the laws of health, including the physiology
23 and hygiene of alcoholic stimulants, with special reference to their effects
24 upon the human system. The county superintendent may, at his option,
25 renew said certificates at their expiration, by his endorsement thereon and
26 may revoke the same at any time for immorality, incompetence or other
27 just cause. Said certificates may be in the following form, viz:

28 _____ ILLINOIS, _____ 18____
29 _____ County.

30 The undersigned, having examined _____ in orthography,
31 reading in English, penmanship, arithmetic, English grammar, modern
32 geography, the history of the United States, and being satisfied that
33 _____ is of good moral character, hereby certifies that
34 _____ qualifications in the above branches are such as to entitle _____ to
35 this certificate, being of the _____ grade, and valid in said county for
36 year from the date hereof, renewable at the option of the county superinten-
37 dent by his endorsement thereon.

38 Given under my hand and seal at the date aforesaid.

39 _____ A. B., County Superintendent of Schools.

40 In any county in which a county normal school is established, under the
41 control of a county board of education, the diplomas of graduates in said
42 normal school shall, when directed by said board, be taken by the county
43 superintendent as sufficient evidence of qualifications to entitle the holder to
44 a first class certificate. Each county superintendent shall also keep a record,
45 in a book provided for that purpose, of all teachers to whom he grants
46 certificates. Said record shall show the date and grade of each certificate

47 granted, and the name, age and nativity of each teacher; and shall give the
 48 names of male and female teachers separately. Said record may be as follows,
 49 viz.,

Name.	Age.	Nativity.	Date.	Grade.	Remarks.
Chas. Thompson.	25	Illinois.	March 1 1874	1.	Has taught 5 yrs.

50 A copy or transcript of said record shall be transmitted by the county
 51 superintendent, with his regular report, to the State Superintendent. The
 52 State Superintendent of Public Instruction is hereby authorized to grant
 53 State certificates to such teachers as may be found worthy to receive
 54 them, which shall be of perpetual validity in every county and school
 55 district in the State. But State certificates shall only be granted upon
 56 public examination, of which due notice shall be given, in such branches
 57 and upon such terms, and by such examiners as the State Superintendent
 58 and the principals of the normal universities may prescribe. Said certi-
 59 ficates may be revoked by the State Superintendent upon proof of immoral or
 60 unprofessional conduct. Every school established under the provisions of this
 61 act shall be for the instruction in the branches of education prescribed in the
 62 qualifications for teachers, and in such other branches, including vocal music
 63 and drawing, as the directors or the voters of the district, at the annual elec-
 64 tion of directors may prescribe."



1. Received from House February 23, 1887, and ordered to first reading.
2. First reading February 23, 1887, and ordered to second reading.

A BILL

For An Act to appropriate the money turned into the State Treasury by the Board of Live Stock Commissioners, the proceeds of the sale of the carcasses of healthy cattle slaughtered in Chicago by order of the Board on account of the exposure to pleuro-pneumonia, for the payment of damages for animals slaughtered under the provisions of law.

WHEREAS, The Board of Live Stock Commissioners of the State of Illinois, in the discharge of their duties as provided by law have slaughtered a large number of cattle in the city of Chicago on account of the existence of pleuro-pneumonia therein, and the exposure of cattle thereto, and have received in addition to the expense incurred in said slaughter the sum of \$35,308.78 as the net proceeds of the sales of the carcasses and hides of such of said animals as were pronounced healthy on post-mortem examination, which amount has been paid by the Board into the State Treasury; and,

WHEREAS, The balance remaining of the fund appropriated by the Thirty-fourth General Assembly for the payment of such slaughtered animals is insufficient to pay all claims arising out of the aforesaid slaughter, and that will arise before another appropriation is available, and said claims have accrued to the owners and have been certified to the Governor by the Board; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and is hereby appropriated the*

3 sum of \$35,338.78 (being the amount paid into the State Treasury by the
4 said Board of Live Stock Commissioners, as above) for the payment of
5 damages awarded for animals slaughtered on order of the Board of Live
6 Stock Commissioners, under existing laws.

§ 2. WHEREAS, As set forth in the preamble of this act, an emergency
2 now exists, this act shall be in force from and after its passage.

1. Introduced by Mr. Higgins, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back April 14, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 15, 1887, with amendments, and ordered to third reading.

A BILL

For An Act making an appropriation for the ordinary and other expenses of the
Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the following amounts, or so much thereof as*
3 *may be necessary, be and the same are hereby appropriated to the Southern*
4 *Illinois Penitentiary, for the purposes hereinafter named, and no other:*

5 For ordinary expenses for the two years ending June 30, 1889, one hundred
6 and fifty thousand dollars (\$150,000.)

7 For one steam boiler, one thousand five hundred and seventy-two dollars
8 \$(1,572.)

9 For repairs, five thousand dollars (\$5,000.)

10 For contingent fund, ten thousand dollars (\$10,000.)

§ 2. The moneys herein appropriated shall be due and payable to the Com-
2 missioners of the Southern Illinois Penitentiary or their order, only on the
3 terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 51.

Amend line 14 by striking out the words "one hundred and fifty" and insert the words "seventy-five" in lieu thereof.

Also amend line 15 by striking out the figures "\$150,000" and insert the figures "\$75,000" in lieu thereof; also insert after the figures "\$150,000, in line 15, the words "per annum."

Also amend line 16 by striking out the words "five hundred" and insert the words "two hundred" in lieu thereof.

Also amend line 17 by striking out the words "and seventy-two;" also amend in same line by striking out the figures "\$1,572" and insert the figures "\$1,200" in lieu thereof.

Also amend line 18 by striking out the words "five thousand" and insert the words "two thousand five hundred" in lieu thereof.

Also amend in same line by striking out the figures "\$5,000" and insert the figures "\$2,500;" also insert after the figures "\$5,000" in line 18 the words "per annum."

Also amend line 19 by striking out the word "ten" and insert the word "five" in lieu thereof.

Also amend line 20 by striking out the figures "\$10,000" and insert the figures "\$5,000" in lieu thereof.

1. Received from House April 21, 1887, and ordered to first reading.
 2. April 25, 1887, referred to Committee on Appropriations.
 3. Reported back June 9, 1887, passage recommended, read first time and ordered to second reading.
-

A BILL

For An Act to make an appropriation to erect a monument at Jacksonville, Illinois, over the grave of Richard Yates, ex-Governor of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of twenty thousand dollars be and the same is hereby appropriated for the purpose of erecting a monument at Jacksonville, Illinois, over the grave of Richard Yates, Governor of the State of Illinois from 1861 to 1865.

§ 2. The Governor shall appoint three commissioners, who shall serve without compensation, under whose direction the work provided for in section one of this act shall be performed.

§ 3. The Auditor of Public Accounts shall draw his warrant for all or any part of the sum hereby appropriated, upon the certificate of the said commissioners, approved by the Governor of the State of Illinois, as the said sum or sums of money shall be required in the construction of said monument.



1. Introduced Mr. Higgins January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back April 14, 1887, with amendments, passage recommended, and referred to Committee on Appropriations.
4. Reported back May 6, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for continuing the work of constructing the
Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts, or so much thereof as
3 may be necessary, be and are hereby appropriated to the Southern Illinois
4 Penitentiary, for the purposes hereinafter mentioned, and for no other:

5 For building south cell-house, one hundred and two thousand, two hundred
6 and twelve dollars and seventy cents, \$102,212.70.

7 For stone-cutting shop, two thousand, three hundred and forty dollars and
8 sixty-three cents, \$2,340.63.

9 For pump-house, one thousand, seven hundred and thirty-five dollars and
10 seventy-four cents, \$1,735.74.

11 For vegetable house and refrigerator, four thousand, fifteen dollars and
12 twenty-four cents, \$4,015.24.

13 For electric lights, ten thousand dollars, \$10,000.00.

14 For completing sewer, three hundred and eighty-two dollars and thirty
15 cents, \$382.30.

§ 2. The moneys herein appropriated shall be due and payable to the
2 commissioners of said penitentiary in sums not to exceed ten thousand dollars

3 (\$10,000.00) at one time: *Provided*, that after the sum of ten thousand dol-
 4 lars (\$10,000.00) shall have been drawn, no further sum shall be drawn until
 5 said commissioners shall have filed with the Auditor proper vouchers, accom-
 6 panied by abstracts, approved by the Governor of the State, showing in what
 7 manner the money previously drawn has been expended.

AMENDMENTS PROPOSED BY COMMITTEE ON APPROPRIATIONS
 TO SENATE BILL No. 52.

Amend by striking out in lines 13, 14 and 15 of written bill the words and
 2 figures "one hundred two thousand, two hundred twelve dollars and seventy
 3 cents (\$102,212.70)," and insert the words and figures "seventy-five thousand
 4 dollars (\$75,000)" in lieu thereof; also

5 Amend by striking out lines 16, 17, 18, 19, 20 and 21; also

6 Amend by striking out lines 25 and 26.

1. Received from House May 5, 1887, and ordered to first reading.
2. First reading May 5, 1887, and referred to Committee on Appropriations.
3. Reported back May 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act making an appropriation for the relief of John R. Blackburn, who was disabled by the premature discharge of a cannon while in the service of the State and acting under orders as a private in Company F, 13th Battalion, Illinois National Guard.

WHEREAS, The said John R. Blackburn, a private in company F, 13th Illinois National Guard, while on duty and acting under the orders of his superior officers at Flora, Illinois, on or about the 28th day of October, A. D., 1880, was seriously and permanently injured and disabled by the premature discharge of a defective cannon, owned and furnished by the State for use on the occasion, and without any fault or negligence on his part, or knowledge of the defect, therefor,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of fifteen hundred dollars (\$1500), be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated as compensation to the said John R. Blackburn in full for all damages sustained by him by reason of the injuries aforesaid while so in the service of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum herein specified, and the State Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropriated.



1. Introduced by Mr. Southworth, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Judiciary.
3. Reported back, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) of an act entitled "An act in regard to the descent of property," approved April 9, 1872, in force July 1, 1872.

SectioN 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act in regard to the descent of property," approved April 9, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That estates, both real and personal of resident and non resident proprietors in this State, dying intestate, or whose estates or any part thereof, shall be deemed and taken as intestate estate, after all just debts and claims against such estates are fully paid, shall descend to, and be distributed in manner following, to wit:

First—To his or her children and their descendants, in equal parts: the descendants of the deceased child or grandchild, taking the share of their deceased parents, in equal parts, among them.

Second—When there is no child of the intestate, nor descendants of such child, and no widow or surviving husband, then to the parents, brothers and sisters of the deceased and their descendants, in equal parts among them, allowing to each of the parents, if living, a child's part, or to the survivor of them, if one be dead, a double portion, and if there is no parent living, then to the brothers and sisters of the intestate and their descendants.

20 *Third*—Where there is a widow or surviving husband, and no child or
 21 children, or descendants of a child or children of the intestate, then, after
 22 the payment of all just debts, one-half of all the real estate and the
 23 whole of the personal estate, shall descend to such widow or surviving
 24 husband, as an absolute estate, forever, and the other half of the real estate
 25 shall descend, as in other cases where there is no child or children, or
 26 descendants of a child or children: *Provided*, that in the case of all estates
 27 exceeding in value one hundred thousand dollars, the testator may make
 28 provision by will that the widow or surviving husband shall have at least one
 29 hundred thousand dollars of such estate, and may direct by will the disposition
 30 of all of said estate in excess of one hundred thousand dollars, and no
 31 renunciation by the widow or surviving husband, shall in anywise affect the
 32 distribution of the estate under the will, in excess of one hundred thousand
 33 dollars.

34 *Fourth*—Where there is a widow or a surviving husband, and also a child
 35 or children, or descendants of such child or children of the intestate, the
 36 widow or surviving husband shall receive as his or her absolute personal
 37 estate, one-third of all the personal estate of the intestate.

38 *Fifth*—If there is no child of the intestate or descendant of such child, and
 39 no parent, brother or sister, or descendant of such parent, brother or sister,
 40 and no widow or surviving husband, then such estate shall descend, in
 41 equal parts to the next of kin to the intestate in equal degree, (computing by
 42 the rules of the civil law), and there shall be no representation among
 43 collaterals, except with the descendants of brothers and sisters of the intestate;
 44 and in no case shall there be any distinction between the kindred of the whole
 45 and the half blood.

46 *Sixth*—If any intestate leaves a widow or surviving husband and no kindred,
 47 his or her estate shall descend to such widow or surviving husband.

48 *Seventh*—If the intestate leaves no kindred and no widow or husband, his
 49 or her estate shall escheat to and vest in the county in which said real or
 50 personal estate, or the greater portion thereof, is situated."

1. Received from House, April 27, 1887, and ordered to first reading.
2. First reading, May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 47 of an act entitled "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, and in force July 1, 1872, amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 47 of an act entitled "An act con-
3 cerning fees and salaries, and to classify the several counties of this State with
4 reference thereto," approved March 29, 1872, in force July 1, 1872, title as
5 amended by an act approved March 28, 1874, in force July 1, 1874, be and the
6 same is hereby amended so as to read as follows:

7 "Section 47. Every witness attending in his own county upon trials in the
8 courts of record shall be entitled to receive the sum of one dollar for each
9 day's attendance and five cents per mile each way for necessary travel.
10 For attending in a foreign county, going and returning, accounting twenty
11 miles for each day's travel, for each day one dollar. Every witness attending
12 for the purpose of having his deposition taken one dollar, and the same
13 mileage as provided in this section for witnesses in courts of records: *Pro-*
14 *vided,* no allowance or change shall be made for the attendance of witnesses
15 aforesaid, unless the witness shall make affidavit of the number of days he
16 or she actually attended, and that such attendance was at the instance of
17 one or both of the parties or his attorney. In criminal cases, where a
18 witness shall be required to attend from a foreign county or State, he shall

19 be allowed five cents per mile each way in full of all compensation, except
20 the per diem for actual attendance upon such court, which shall be one
21 dollar per day for each day's necessary attendance to be paid out of the
22 county treasury of the county where the crime was committed on the cer-
23 tificate of the clerk of the court where the trial is being had: *Provided,*
24 he shall make affidavit of the distance traveled, that it was the usually
25 traveled and most direct route, of the number of days' actual attendance,
26 and that such attendance was at the instance of the State's Attorney or the
27 accused, or his attorney, to which shall be added the certificate of the
28 judge that the amount is reasonable and that he was a material witness in
29 the court."

- 1 Received from House February 15, 1887, and ordered to first reading
- 2 First reading February 15, 1887, and ordered to second reading

A BILL

For An Act making appropriations for the ordinary and other expenses of the Illinois Soldiers and Sailors' Home at Quincy, until the thirtieth day of June, A. D. 1887

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly*, that the following amounts be and are hereby
3 appropriated to the Illinois Soldiers and Sailors' Home at Quincy for the
4 purposes hereinafter named and for no other:
- 5 For ordinary expenses the sum of forty thousand dollars (\$40,000).
 - 6 For contingent expenses the sum of five thousand dollars (\$5,000).

§ 2. The money herein appropriated shall be due and payable to the
2 trustees of the said Illinois Soldiers and Sailors' Home at Quincy or their
3 order only on the terms and in the manner now provided by law

§ 3. Whereas the sum above appropriated will be needed to sustain said
2 home prior to the first day of July, 1887, therefore an emergency exists and
3 this act shall take effect from and after its passage.

1. Introduced by Mr. Hill, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Elections.
3. Reported back March 3, with amendments; passage not recommended. Minority report that it do pass substituted, and bill ordered to second reading, and to be printed with amendment.

A BILL

For An Act to amend section fifty three (53) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section fifty-three (53) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, be, and the same is hereby amended so as to read as follows:

"Section 53. The names of all candidates for which the elector intends to vote shall be written or printed upon the same ballot, and the office to which he desires each to be elected shall be designated upon the ballot. Each ballot shall bear a plain written or printed caption thereon, and when a ballot with a certain designated heading contains printed thereon, in place of another, a name not found on the regular ballot having such heading "unless there shall be printed as a part of said heading in as large type as said ticket may contain, a statement to the effect that the same is a split or irregular ticket, such name shall be regarded by the judges as having been placed thereon for the purpose of fraud, and the ballot shall not be counted for the name so found."

1. Introduced by Mr. Hill, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Elections.
3. Reported back March 3, with amendments; passage not recommended. Minority report that it do pass substituted, and bill ordered to second reading, and to be printed with amendment.

A BILL

For An Act to amend section fifty three (53) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section fifty-three (53) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, be, and the same is hereby amended so as to read as follows:

"Section 53. The names of all candidates for which the elector intends to vote shall be written or printed upon the same ballot, and the office to which he desires each to be elected shall be designated upon the ballot. Each ballot shall bear a plain written or printed caption thereon, and when a ballot with a certain designated heading contains printed thereon, in place of another, a name not found on the regular ballot having such heading "unless there shall be printed as a part of said heading in as large type as said ticket may contain, a statement to the effect that the same is a split or irregular ticket, such name shall be regarded by the judges as having been placed thereon for the purpose of fraud, and the ballot shall not be counted for the name so found."

1. Introduced by Mr. Hill, January 18, 1887, and ordered to first reading.
2. First reading January 18, 1887, and referred to Committee on Appropriations.
3. Reported back February 10, 1887, and referred to Committee on State Charitable Institutions.
4. Reported back March 30, 1887, and referred to Committee on Appropriations.
3. Reported back April 21, 1887, passage recommended, and ordered to second reading.
4. Second reading May 3, 1887, amended, and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Southern Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following amounts be and are hereby
3 appropriated to the Southern Hospital for the Insane, at Anna, for the
4 purposes herein named:

5 For ordinary expenses, the sum of one hundred and three thousand and
6 five hundred dollars per annum, payable quarterly in advance, from July 1,
7 1887, until the expiration of the first fiscal quarter after the adjournment
8 of the next General Assembly.

9 For improvements and repairs, the sum of five thousand dollars per
10 annum.

11 For care and improvement of grounds, five hundred dollars per annum.

12 For a new pump at Big Spring, nine hundred and seventy-seven dollars.

13 For moving and refitting house for engineer, five hundred dollars.

14 For fire escapes, one thousand dollars.

§ 2. The money herein appropriated shall be due and payable to the trustees,

2 or their order, only on the terms and in the manner now provided by law. 1



1. Received from House May 26, 1887, and ordered to first reading.
1. First reading May 26, 1887, and referred to Committee on Appropriations.
3. Reported back June 8, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the ordinary and other expenses of the
Soldiers' and Sailors' Home, at Quincy.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts be and are hereby
3 appropriated to the Illinois Soldiers' and Sailors' Home at Quincy, for the
4 purposes hereinafter named, and for no other:

5 For ordinary expenses from July first, A. D. 1887, until the expiration
6 of the first fiscal quarter after the adjournment of the next General Assembly,
7 the sum of one hundred and twenty-four thousand five hundred dollars
8 (\$124,500) per annum, payable quarterly in advance.

9 For hospital building, fifteen thousand dollars (\$15,000).

10 For furnishing and equipping hospital, two thousand dollars (\$2,000).

11 For fencing boundary line and railroad, bridging railroad, making road-
12 ways and walks and improvement of grounds, twelve thousand dollars,
13 (\$12,000).

14 For farm buildings and necessary outbuildings, five thousand dollars
15 (\$5,000).

16 For additional boilers, three thousand dollars (\$3,000).

17 For additional cottages, complete and furnished, eighty-seven thousand six
18 hundred dollars (\$87,600.)

19 For services of architect, superintendent of construction and contingent
20 fund, six thousand dollars (\$6,000.)

21 For the purchase of additional land, nine hundred dollars (\$900.)

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees of the said Illinois Soldiers' and Sailors' Home, at Quincy, or their
3 order, only on the terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY COMMITTEE ON APPROPRIATIONS TO HOUSE BILL NO. 58.

Amend by striking out all after the figures "1887" in line 10 of section 1 to
2 and including the word "advance" in line 16 of the same section and insert
3 the following:

4 Until the first day of July A. D. 1888, the sum of one hundred thousand
5 dollars (\$100,000), and from the first day of July A. D. 1888 until the expi-
6 ration of the first fiscal quarter after the adjournment of the next General Assem-
7 bly, the sum of one hundred and twenty-four thousand five hundred dollars
8 (\$124,500), payable quarterly in advance.

9 Also amend lines 17 and 18, page 1, by striking out the words and figures
10 "fifteen thousand dollars (\$15,000)" and insert the words and figures "twenty-
11 five thousand dollars (\$25,000)" in line thereof.

12 Also amend line 20, page 1, by striking out the words and figures "two
13 thousand dollars (\$2,000)" and insert the words and figures "three thousand
14 five hundred dollars (\$3,500)" in lieu thereof.

15 Also amend line 4, page 2, by striking out the words and figures "twelve
16 thousand dollars (\$12,000)" and insert the words and figures "six thousand
17 dollars (\$6,000)" in lieu thereof.

18 Also amend by adding the following words and figures after the figures
19 "(\$87,600)" in line 11, page 2: "*Provided*, that the total cost of each cottage,
20 completed and furnished shall not exceed seven thousand three hundred dol-
21 lars (\$7,300)."

-
1. Introduced by Mr. Bell, January 18, 1887, and ordered to first reading.
 2. First reading January 18, 1887, and referred to Committee on Judiciary.
 3. February 16, 1887, reported back and ordered to be printed for use of Committee.
-

A BILL

For An Act to regulate the practice of cases of misnomer in criminal proceedings.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.* That no indictment shall be quashed nor trial
3 delayed on account of the misnomer of any defendant or defendants, but
4 in case it shall appear to the court after the finding of an indictment,
5 that the right name of any defendant is not therein stated, the court may
6 order such fact to be entered of record; and all subsequent proceedings
7 shall thereupon be in such corrected name or names, the same as if such
8 right name or names originally appeared in the indictment.

1. Received from House, May 11, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to regulate the Manufacture, Transportation, use and sale of explosives, and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That any person, firm, company or corporation who shall make, manufacture, compound, buy or sell, or otherwise procure or dispose of, or bring within the limits of this State, any dynamite, or any nitro-chlorate, or other explosive compound, with the intent to use the same, or that the same may be used for unlawful injury to or the unlawful destruction of life or property in any place whatsoever, shall be deemed guilty of felony, and upon conviction thereof shall be punished by imprisonment for a term of not less than five years nor more than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufacturing, compounding, buying, selling, procuring, disposing of, storing, removing or transporting any dynamite, nitro-chlorate, or other explosive compound, as above named, either furnishing the materials, ingredients, skill, means or labor, or by acting as agent, or in any manner acting as accessory before the fact, knowing or having reason to believe that the same is intended to be used by any person or persons in any way for the unlawful injury to or destruction of life or property, shall be deemed principal, and upon conviction shall be subject to the same punishment as provided in section one of this act.

§ 3. Any person soliciting or contributing money or other property for the manufacture, sale, transportation or use of said explosive compounds, knowing or having reason to believe that the same is intended to be used for any unlawful destruction of life or property, shall be deemed guilty of a felony, and, upon conviction, shall be punished by imprisonment, not less than three nor more than twenty-five years.

§ 4. No person, firm, company or corporation shall make, manufacture, compound, buy, sell, procure, dispose of, store, keep, remove or transport, by means of any public or private conveyance, over land or water, any dynamite, nitro-chlorate or other explosive compound, for any purpose whatever, without a permit for such purpose, signed by the county clerk of the county in which such manufacturing, selling, compounding, and removal or transportation is desired to be done, and duly attested with the seal of said official. The permit shall specify the object for which the permit is issued, whether it be to manufacture, buy, sell, or have transported, any such compound: and the said officer issuing the said permit shall keep a record of the names and residences of persons to whom such permit is issued, and the purpose for which such explosive compound is to be used. The officer authorized by this act shall not issue such permit unless satisfied that the purpose for which such explosive compound is to be used is a lawful one. Any person, firm, company or corporation making, procuring, disposing of, storing, keeping, removing or transporting any such compound without such permit shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine or imprisonment, or both, in the discretion of the court, such fine to be not less than two hundred nor more than one thousand dollars, and for a second offense shall be deemed guilty of a felony and be subject to imprisonment for not less than one year nor more than five years, and a fine of not less than five hundred nor more than two thousand dollars.

§ 5. Any person, firm, company or corporation who, by fraud, deception or misrepresentation, shall procure the transportation of any such explosive compound in any public conveyance, shall be deemed guilty of felony, and, upon

1. Received from House, May 11, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to regulate the Manufacture, Transportation, use and sale of explosives, and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person, firm, company or corporation who
3 shall make, manufacture, compound, buy or sell, or otherwise procure or dis-
4 pose of, or bring within the limits of this State, any dynamite, or any nitro-
5 chlorate, or other explosive compound, with the intent to use the same, or
6 that the same may be used for unlawful injury to or the unlawful destruction
7 of life or property in any place whatsoever, shall be deemed guilty of felony,
8 and upon conviction thereof shall be punished by imprisonment for a term
9 of not less than five years nor more than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufacturing,
2 compounding, buying, selling, procuring, disposing of, storing, removing or
3 transporting any dynamite, nitro-chlorate, or other explosive compound, as
4 above named, either furnishing the materials, ingredients, skill, means or labor,
5 or by acting as agent, or in any manner acting as accessory before the fact,
6 knowing or having reason to believe that the same is intended to be used by
7 any person or persons in any way for the unlawful injury to or destruction
8 of life or property, shall be deemed principal, and upon conviction shall be
9 subject to the same punishment as provided in section one of this act.

§ 3. Any person soliciting on contributing money or other property for the
2 manufacture, sale, transportation or use of said explosive compounds, knowing
3 or having reason to believe that the same is intended to be used for any un-
4 lawful destruction of life or property, shall be deemed guilty of a felony, and
5 upon conviction, shall be punished by imprisonment, not less than three nor
6 more than twenty-five years.

§ 4. No person, firm, company or corporation shall make, manufacture,
2 compound, buy, sell, procure, dispose of, store, keep, remove or transport, by
3 means of any public or private conveyance, over land or water, any dynamite,
4 nitro-chlorate or other explosive compound, for any purpose whatever, without
5 a permit for such purpose, signed by the county clerk of the county in which
6 such manufacturing, selling, compounding, and removal or transportation is
7 desired to be done, and duly attested with the seal of said official. The per-
8 mit shall specify the object for which the permit is issued, whether it be to
9 manufacture, buy, sell, or have transported, any such compound; and the said
10 officer issuing the said permit shall keep a record of the names and resi-
11 dences of persons to whom such permit is issued, and the purpose for which
12 such explosive compound is to be used. The officer authorized by this act
13 shall not issue such permit unless satisfied that the purpose for which such
14 explosive compound is to be used is a lawful one. Any person, firm, com-
15 pany or corporation making, procuring, disposing of, storing, keeping, remov-
16 ing or transporting any such compound without such permit shall be guilty of
17 a misdemeanor, and, upon conviction thereof, shall be subject to a fine or
18 imprisonment, or both, in the discretion of the court, such fine to be not less
19 than two hundred nor more than one thousand dollars, and for a second
20 offense shall be deemed guilty of a felony and be subject to imprisonment for
21 not less than one year nor more than five years, and a fine of not less than
22 five hundred nor more than two thousand dollars.

§ 5. Any person, firm, company or corporation who, by fraud, deception or
2 misrepresentation, shall procure the transportation of any such explosive com-
3 pound in any public conveyance, shall be deemed guilty of felony, and, upon

4 conviction, shall be punished by imprisonment in the penitentiary for the
5 term of not less than one year nor more than five years, and a fine of not
6 less than five hundred nor more than two thousand dollars.

§ 6. It shall be the duty of every person in this State to whom permit
2 shall be granted to sell or otherwise dispose of any such explosive compound
3 as above described, to keep a record of the name and residence of every per-
4 son to whom he disposes of any such explosive compound, and the kind and
5 amount thereof, and the date of such transaction and the purpose for which
6 such compound is to be used; and such record shall be preserved for not less
7 than three years. All persons, firms, companies or corporations transporting
8 any of the above compounds shall keep a record of the name and residence of
9 the person, firm, company or corporation forwarding such explosive compound,
10 and of the kind and amount forwarded, together with the name and address
11 of the person, firm, company or corporation to whom the same is forwarded,
12 with the date of its receipt and delivery, and no transportation company shall
13 receive any such explosive compound for transportation, unless the same is
14 labeled as to its contents, and unless a permit for its transportation is at-
15 tached thereto, duly issued by the officer authorized to issue such permits.
16 Any violation of the provisions of this section shall be punished by a fine of
17 not less than one hundred dollars nor more than five hundred dollars. All
18 records as above described shall at all times be open to the inspection of
19 sheriffs, coroners, constables, city, village or town marshals, chiefs of police
0 or policemen of any city, village or town within the State of Illinois.

1. Received from House May 11, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.
3. Second reading May 27, 1887, amended and ordered to third reading.

A BILL

For An Act to regulate the manufacture, transportation and sale of explosives,
and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person, firm, company or corporation
3 who shall make, manufacture, compound, buy or sell, or otherwise procure
4 or dispose of, or bring within the limits of this State any dynamite or
5 any nitro-chlorate or other explosive compound, with the intent to use the
6 same, or that the same may be used for unlawful injury to or the unlaw-
7 ful destruction of life or property whatsoever, shall be deemed guilty of
8 felony, and upon conviction thereof shall be punished by imprisonment for
9 a term of not less than five years nor more than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufact-
2 uring, compounding, buying, selling, procuring, disposing of, storing, removing
3 or transporting any dynamite, nitro-chlorate or other explosive compound,
4 as above named, either by furnishing the materials, ingredients, skill,
5 means or labor, or by acting as agent, or in any manner acting as
6 accessory before the fact, knowing or having reason to believe that the
7 same is intended to be used by any person or persons in any way for the
8 unlawful injury to or destruction of life or property, shall be deemed prin-
9 cipal, and upon conviction shall be subject to the same punishment as
10 provided in section one of this act.

§ 3. Any person soliciting or contributing money or other property for the manufacture, sale, transportation or use of said explosive compounds, knowing or having reason to believe that the same is intended to be used for any unlawful destruction of life or property, shall be deemed guilty of a felony, and upon conviction, shall be punished by imprisonment, not less than three nor more than twenty-five years.

§ 4. No person, firm, company or corporation shall make, manufacture, compound, buy, sell, procure, dispose of, store, keep, remove or transport, by means of any public or private conveyance, over land or water, any dynamite, nitrochlorate or other explosive compound, for any purpose whatever, without a permit for such purpose, signed by the county clerk of the county in which such manufacturing, selling, compounding, and removal or transportation is desired to be done and duly attested with the seal of said official. The permit shall specify the object for which the permit is issued, whether it be to manufacture, buy, sell, or have transported, any such compound; and the said officer issuing the said permit shall keep a record of the names and residences of persons to whom such permit is issued, and the purpose for which said explosive compound is to be used. The officer authorized by this act shall not issue such permit unless satisfied that the purpose for which such explosive compound is to be used is a lawful one. Any person, firm, company or corporation making, procuring, disposing of, storing, keeping, removing or transporting any such compound without such permit shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine or imprisonment, or both, in the discretion of the court, such fine to be not less than two hundred nor more than one thousand dollars, and for a second offense shall be deemed guilty of a felony and be subject to imprisonment for not less than one year nor more than five years, and a fine of not less than five hundred nor more than two thousand dollars.

§ 5. Any person, firm, company or corporation who, by fraud, deception or misrepresentation, shall procure the transportation of any such explosive compound in any public conveyance shall be deemed guilty of felony, and upon conviction shall be punished by imprisonment in the penitentiary for the term

5 of not less than one year nor more than five years, and a fine of not less than
6 five hundred nor more than two thousand dollars.

§ 5. It shall be the duty of every person in this State to whom permit shall
2 be granted to sell or otherwise dispose of any such explosive compound as above
3 described, to keep a record of the name and residence of every person to whom he
4 disposes of any such explosive compound, and the kind and amount thereof, and
5 the date of such transaction and the purposes for which such compound is to be
6 used; and such record shall be preserved for not less than three years. All
7 persons, firms, companies or corporations transporting any of the above
8 compounds shall keep a record of the name and residence of the person, firm,
9 company or corporation forwarding such explosive compound, and of the kind
10 and amount forwarded, together with the name and address of the person, firm
11 company or corporation to whom the same is forwarded, with the date of its
12 receipt and delivery, and no transportation company shall receive any such
13 explosive compound for transportation, unless the same is labeled as to its
14 contents, and unless a permit for its transportation is attached thereto, duly
15 issued by the officer authorized to issue such permits. Any violation of the pro-
16 visions of this section shall be punished by a fine of not less than one hundred
17 dollars nor more than five hundred dollars. All records as above described shall
18 at all times be open to the inspection of sheriffs, coroners, constables, city, village
19 or town marshals, chiefs of police or policemen of any city, village or town
20 within the State of Illinois.

SENATE AMENDMENTS TO HOUSE BILL No. 64.

Strike out all after section 3, and insert the following:

§ 4. That no person, firm, company or corporation shall make, manu-
2 facture or compound within the limits of this State any dynamite, nitro-
3 chlorate or other explosive compounds within one mile of any inhabited
4 dwelling, and no person, firm, company or corporation shall make, manu-

5 facture or compound any dynamite, nitro-chlorate or other explosive com-
6 pound without a permit for such purpose, signed by the county clerk of
7 the county in which said manufacturing or compounding is desired to be
8 done, and duly attested with the seal of said official. And the said official
9 issuing the said permit shall keep a record of the names and residences of
10 persons to whom such writ is issued. The officer authorized by this act
11 shall not issue such permit unless the purpose for which said explosive or
12 compound is to be manufactured is a lawful one. Any person, firm, com-
13 pany or corporation making any such compound without such permit shall
14 be guilty of a misdemeanor, and upon conviction thereof shall be subject
15 to a fine or imprisonment, or both, in the discretion of the court, such
16 fine to be not less than two hundred dollars nor more than one thousand
17 dollars, and for a second offense shall be deemed guilty of a felony and be
18 subject to imprisonment in the penitentiary for not less than one year nor
19 more than five years, and a fine of not less than five hundred dollars nor
20 more than two thousand dollars.

§ 5. That no person, firm, company or corporation shall store or keep
2 any dynamite, nitro-chlorate or other explosive compound within three
3 hundred yards of any inhabited dwelling if the same shall be located without
4 any city, nor within the limits of any city except in conformity with the
5 existing ordinances governing the storage or keeping of such explosive com-
6 pound. Any violation of the provisions of this section shall be punished by
7 a fine of not less than one hundred dollars nor more than five hundred
8 dollars.

§ 6. It shall be the duty of every person in this State to whom shall
2 sell or otherwise dispose of any such explosive compound as above described,
3 to keep a record of the names and residence of every person to whom he
4 disposes of any such explosive compound, and the kind and amount thereof, and
5 the date of such transaction, and such record shall be preserved for not
6 less than three years. All persons, firms, companies or corporations trans-
7 porting any of the above compounds shall keep a record of the names and

8 residences of the person, firm, company or corporation forwarding such ex-
9 plosive compound, and of the kind and amount forwarded, together with
10 the name and address of the person, firm, company or corporation to whom
11 the same is forwarded, with the date of its receipt and delivery, and no
12 transportation company shall receive any such explosive compound for trans-
13 portation, unless the same is marked "explosive," "dangerous," in plainly
14 legible letters on the outside of each and every package. Any violation
15 of the provisions of this section shall be punished by a fine of not less
16 than one hundred dollars nor more than five hundred dollars. All records
17 as above described shall, if any provision of this act shall hereafter be
18 violated be open to the inspection of the prosecuting attorney of any
19 county where any such violation shall occur for the purpose of detecting
20 or convicting the person or persons guilty of such violation; *Provided,*
21 *however,* that the provisions and restrictions of this law so far as they shall
22 or may relate to the manufacture, sale or transfer of any of the explosive
23 articles herein enumerated shall not apply to any such articles which shall
24 be consigned to any point without the limits of this State except that all
25 packages shall be marked "explosive," "dangerous."

§ 7. Any person, firm, company or corporation who, by fraud, deception
2 or misrepresentation, shall procure the transportation of any such explosive
3 compound in any public conveyance shall be deemed guilty of felony, and
4 upon conviction shall be punished by imprisonment in the penitentiary for
5 the term of not less than one year nor more than five years, and a fine
6 of not less than five hundred dollars nor more than two thousand dollars.



1. Received from House, April 29, 1887.
 2. First reading May 5, 1887, and ordered to second reading without reference.
-

A BILL

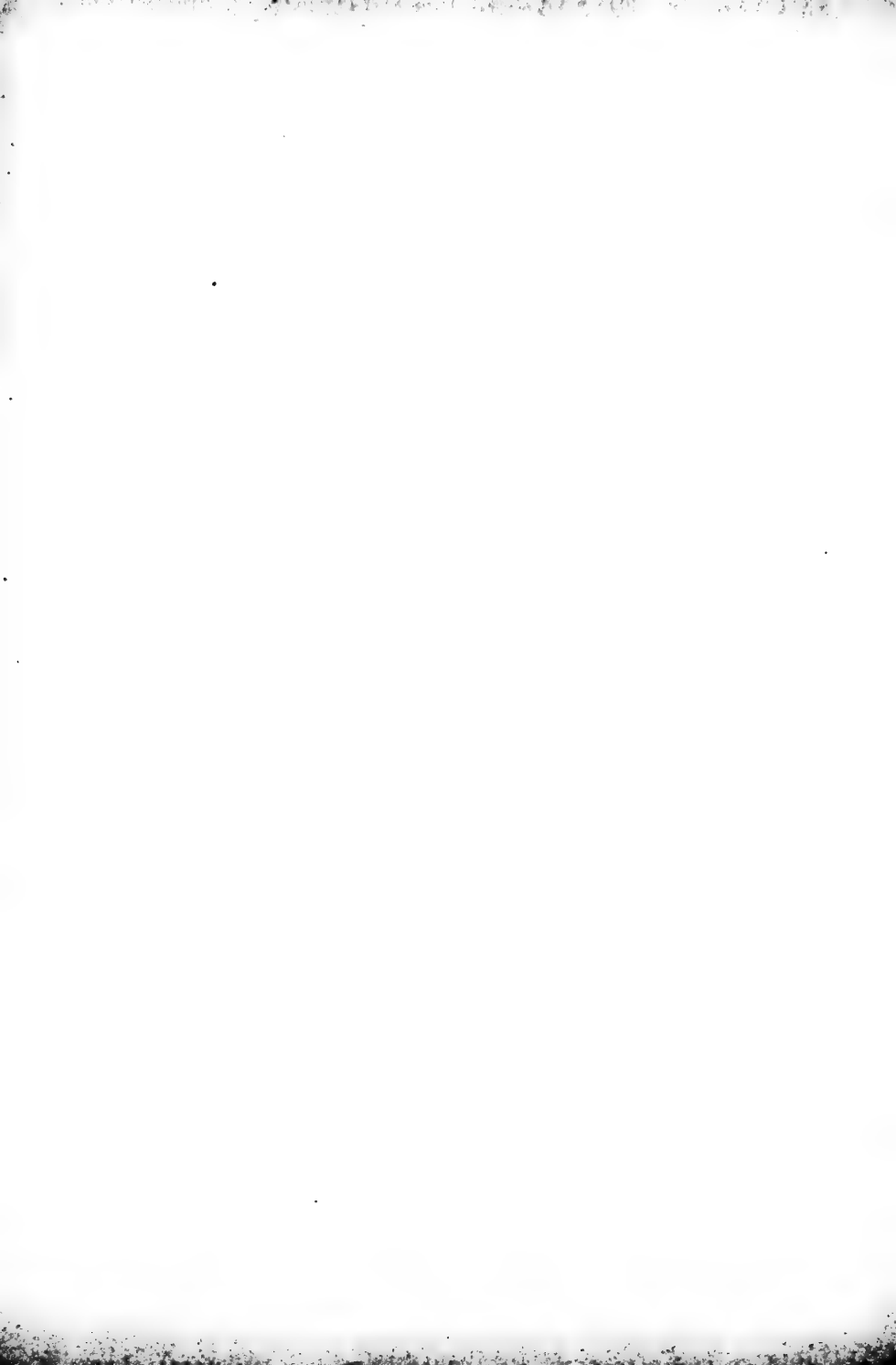
For An Act to amend section 123 of an act entitled "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, and amended by an act approved May 30, 1881, and to repeal all acts and parts of acts in conflict therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 123 of an act entitled "An act to
3 extend the jurisdiction of county courts and to provide for the practice
4 thereof, to fix the time for holding the same, and to repeal an act therein
5 named," approved March 26, 1874, and amended by an act approved May
6 30, 1881, be amended so as to read as follows:

7 "Section 123. Appeals and writs of errors may be taken and prosecuted
8 from the final orders, judgments and decrees of the county court to the
9 supreme court or appellate court, in all cases or proceedings except probate
10 matters, and in all probate matters appeals shall lie to the circuit court
11 as now provided by law. Such appeals and writs of error shall, when not
12 otherwise provided, be taken and prosecuted in the same manner as appeals
13 from, and writs of error to, circuit courts."

§ 2. All acts and parts of acts in conflict with this act are hereby
2 repealed.



1. Introduced by Mr. Organ, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Canals and Rivers.
3. Reported back February 9, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to remove the dam across the Little Wabash River at New Haven, Gallatin County, Illinois, and for making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the Canal Commissioners of the State of
3 Illinois shall, within six months after this bill becomes a law, remove or cause
4 to be removed, the dam across the Little Wabash River at New Haven,
5 Gallatin County, Illinois.

§ 2. *Be it further enacted by the People of the State of Illinois,*
2 *represented in the General Assembly,* That the sum of three hundred dollars,
3 or so much thereof as may be necessary, be appropriated out of the treasury
4 out of any funds not otherwise appropriated, for the purpose of making such
5 removal.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the State Treasurer for three hundred dollars, or such
3 part of the same as may be required, to the order of the said Canal
4 Commissioners, and the State Treasurer shall pay the same out of any funds
5 in the State Treasury not otherwise appropriated.



1. Introduced by Mr. Organ, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Canals and Rivers.
3. Reported back February 23, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back February 24, 1887, and ordered to second reading.

A BILL

For An Act to remove the dam across the Little Wabash River at New Haven, Gallatin County, Illinois, and for making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the Canal Commissioners of the State of
3 Illinois shall, within six months after this bill becomes a law, remove or
4 cause to be removed, the dam across the Little Wabash River at New Haven,
5 Gallatin County, Illinois.

§ 2. *Be it further enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the sum of three hundred dollars, or so much
3 thereof as may be necessary, be appropriated out of the treasury out of any
4 funds not otherwise appropriated, for the purpose of making such removal.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to

2 draw his warrant on the State Treasurer for the sum of three hundred
3 dollars, or such a part of the same as may be required, to the order of said
4 Canal Commissioners, and the State Treasurer shall pay the same out of any
5 funds in the State Treasury not otherwise appropriated.

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading April 12, 1887, and ordered to second reading without reference.

A BILL

For An Act to repeal section sixty-five (65) of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section sixty-five (65) of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872, in force July 1, 1872, be and the same is hereby repealed.

1. Introduced by Mr. Crabtree, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Judiciary.
3. February 16, 1887, reported back, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section thirty-two (32) of an act entitled, "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section thirty-two (32) of an act entitled, "An
3 act in regard to evidence and depositions in civil cases," approved March 29,
4 1872, in force July 1, 1872, be and the same is hereby amended so as to read
5 as follows:

6 "Section 32. It shall not be lawful for any party litigant, or the clerk of the
7 court into which any deposition may be returned, as aforesaid, to break the
8 seal of the same, either in term time or in vacation, unless by written con-
9 sent of the parties thereto or their attorneys, or by the order of the court
10 duly entered of record. And if any such person or clerk shall presume to
11 open any such deposition when taken and returned as aforesaid, without such
12 consent or order of the court, as aforesaid, he shall be considered guilty of a
13 contempt of court, and may be punished accordingly: *Provided,* that it shall
14 not be considered an offense for the clerk to break open any such deposition,
15 as aforesaid, when it is doubtful, from the indorsements made thereon, whether
16 the same be a deposition or not; but in such case, it shall not be proper for

17 such clerk to permit any person to examine any deposition which may be thus
18 opened by mistake, until the consent of the parties or their attorneys is first
19 had and obtained therefor, as aforesaid, or until the court shall have entered
20 the order therefor, as aforesaid.”

1. Received from House May 11, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section fifty-seven (57), and section sixty-four (64), of an act entitled "An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section fifty-seven (57), and section sixty-four (64)*
3 *of an act entitled "An act in regard to roads and bridges in counties under town-*
4 *ship organization and to repeal an act and parts of acts therein named," approved*
5 *June 23, 1883, in force July 1, 1883, be, and the same is amended to read as fol-*
6 *lows, to-wit:*

7 "Section 57. Public roads may be established, altered, widened, or vacated,
8 on township or county lines, or from one township to another, and in case a rail-
9 road, right of way, or stream of water, joins the boundary line of such township
10 or county, or crowds a public road from such township or county line, then
11 along the line of such railroad, right of way, or stream of water, in the same
12 manner as other public roads, except that in such case a copy of the petition
13 shall be posted up in, and presented to the commissioners of, each town inter-
14 ested, said petition to be as in other cases, and signed by not less than twelve
15 land owners, residing in either township or county, within three miles of the
16 road so to be altered, widened, vacated, located or laid out; whereupon it shall
17 be the duty of the commissioners of the several towns to meet and act as one

18 body, in the same time and manner as in other cases, in considering the petition,
19 viewing the premises, adjusting damages, and making all orders in reference to
20 such proposed road, alteration, widening, or vacation, and a majority of all such
21 commissioners must concur in all such orders; and a copy of all final orders, and
22 plats and papers shall be filed and recorded in each of the counties and towns
23 interested."

24 "Section 64. All roads heretofore or hereafter laid out upon town or county
25 lines, shall be divided, allotted and kept in repair in the manner as hereinbefore
26 directed. Any public road that is, or shall hereafter be, laid out on any county
27 or town line, and in case a railroad, right of way, or stream of water forms the
28 boundary line of town or county, or crowds the public road off from such town
29 or county line, then the road alongside of such railroad, right of way, or stream
30 of water, shall be held to be a road on a county or town line, although owing to
31 the topography of the ground along said county or town line, or at the crossing
32 of any stream of water, the proper authorities in establishing or locating such
33 road may have located a portion of the same to one side of such county or town
34 line, or railroad right of way, or stream of water."

1. Received from House April 27, 1887, and ordered to first reading.
2. First reading April 27, 1887, and referred to Committee on Judicial Department.
3. Reported back May 12, 1887, passage recommended, and ordered printed and to second reading.

A BILL

For An Act to provide for the proper care and management of county cemetery grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That where any grounds have heretofore, or may here-*
3 *after be conveyed to any county in this State for burial places, it shall be*
4 *lawful for the board of supervisors in counties under township organization,*
5 *and the county commissioners in counties not under township organization, to*
6 *appoint three trustees to take charge and control of such grounds.*

§ 2. It shall be the duty of such trustees, as soon as may be, after their
2 appointment, to hold a meeting and organize, by appointing one of their number
3 president, and another one of their number clerk, whose duty it shall be to keep
4 a record of all their official acts in a book to be provided for that purpose, and
5 the trustees shall also appoint a treasurer, who may or may not be one of their
6 number, who, before entering upon the duties of his office, shall give bond, with
7 security, payable to the People of the State of Illinois, for the use and benefit of
8 the county in which the grounds are situated, in such sum as the judge of the
9 county court may require for his approval for the safe care and management of
10 all the moneys which may come into his possession as such treasurer.

§ 3. It shall be the duty of the treasurer to keep a correct account of all
2 moneys received and paid out by him, in a book to be provided for that purpose,

3 and to loan, at interest, on notes with approved security, all amounts not
4 necessary to be reserved for expenses, to keep the grounds in good repair,
5 under the direction of the trustees, and shall make settlement with the trus-
6 tees in January of each year, and the trustees or county board of supervisors
7 or commissioners in counties not under township organization, may, at any
8 other time, require the treasurer, as often as they may deem best, to make
9 full report, and for a failure to make satisfactory report, may be discharged
10 and some other shall be appointed in his place, and suit shall be commenced
11 on his bond, whenever deemed necessary, for the safety of the funds that
12 shall have been received by him, in his official capacity.

§ 4. The trustees provided for in this act may cause any such grounds to
2 be surveyed into lots, streets and alleys of such size and shape as they think
3 best for proper management thereof, and cause a plat of the survey to be
4 made and recorded in the recorder's office of the proper county, and may also
5 sell and make deeds of conveyance of any lots, or parts of lots, for family or
6 individual use for burials, at such price and such terms as they may think
7 best, to create a fund to keep the grounds in good repair, and purchase, where
8 necessary, additional grounds thereto, and any sale so made shall vest the
9 purchaser, or his legal representatives, with the right to make any improve-
10 ments on the part so purchased, as he may desire, subject to any general
11 rules or regulations of the trustees. The trustees shall also have the right to
12 decide and direct the depth all graves shall be dug, and to set apart any por-
13 tion of the grounds for the burial of paupers.

§ 5. Where any county board has heretofore appointed trustees to take
2 charge of county cemetery grounds, and such trustees have performed any acts
3 by virtue of their appointment, which would not be inconsistent with the pro-
4 visions of this law, such acts are hereby legalized, and the treasurer and trus-
5 tees so appointed shall be hereafter subject and governed by the provisions of
6 this act.

§ 6. The county board shall have the power to remove from office any
2 trustee appointed by it, and to fill all vacancies which may in any way occur.

§ 7. The compensation of the trustees and treasurer mentioned in the fore-
2 going sections of this act shall be fixed by the board of supervisors in counties
3 under township organization, and by the county commissioners in counties
4 not under township organization, of the respective counties.

1. Introduced by Mr. Johnson, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Judiciary.
3. Reported back February 16, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act concerning Fees and Costs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.* That whenever any party to any suit or proceeding
3 in any court of record in this State, desires to take an appeal or prosecute
4 a writ of error from any judgment, or decree of such court, rendered in
5 any such suit or proceeding, to the Appellate or Supreme Court, and shall
6 present to the clerk of such court, where such judgment or decree was
7 rendered, a true copy of the bill of exceptions, or certificate of evidence, or
8 other papers of record in such cause, necessary to be transcribed, the clerk
9 shall not, in making up the transcript of the record for such appeal or
10 writ of error, be allowed any fees or costs for copying such bill of
11 exceptions, certificate of evidence, or other papers, of which copies are so
12 presented to him, but shall be allowed three cents for each one hundred
13 words, for comparing such copies with the originals, or with the record
14 thereof, and for correcting any errors in the same, and no more. And in
15 counties of the second and third class, the party furnishing such transcript,
16 and who shall be successful on such appeal or writ of error, shall recover
17 as costs against the unsuccessful party not furnishing such transcript, ten
18 cents for each one hundred words thereof, and in counties of the first
19 class, fifteen cents for each one hundred words thereof, together with such

20 other costs as may be allowed by law: *Provided*, that the parties to such
21 appeal or writ of error, may, by agreement, have the original bill of
22 exceptions, or certificate of evidence, instead of a copy, incorporated in such
23 transcript of the record, without paying, or being liable to pay, any fees
24 or costs therefor.

1. Introduced by Mr. Johnson, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Judiciary.
3. Reported back February 16, 1887, passage recommended, and ordered to second reading.
4. Second reading March 23, 1887, amended, and ordered to third reading.

A BILL

For An Act concerning Fees and Costs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That whenever any party to any suit or proceeding
3 in any court of record in this State, desires to take an appeal or prosecute
4 a writ of error from any judgment, or decree of such court, rendered in
5 any such suit or proceeding, to the Appellate or Supreme Court, and shall
6 present to the clerk of such court, where such judgment or decree was
7 rendered, a fair copy of the bill of exceptions, or certificate of evidence, or
8 other papers not of record in such cause, necessary to be transcribed, the
9 clerk shall, in making up the transcript of the record for such appeal or
10 writ of error, be allowed three cents for each one hundred words, for com-
11 paring such copies with the originals, or with the record thereof, and for
12 correcting any errors in the same: *Provided*, that in no case shall the
13 fee for such services be less than one dollar, and he shall insert such
14 copy in the record and certify to the same as part thereof. And in counties
15 of the second and third class, the party furnishing such transcript, and
16 who shall be successful on such appeal or writ of error, shall recover as
17 costs against the unsuccessful party not furnishing such transcript, ten
18 cents for each one hundred words thereof, and in counties of the first
19 class, fifteen cents for each one hundred words thereof, together with such

20 other costs as may be allowed by law: *Provided*, that the parties to such
21 appeal or writ of error, may, by agreement, have the original bill of excep-
22 tions, or certificate of evidence, instead of a copy, incorporated in such
23 transcript of the record, without paying, or being liable to pay, any fees
24 or costs therefor.

- 1 Introduced by Mr. CURTIS, January 19, 1887, and ordered to first reading.
- 2 First reading January 19, 1887, and referred to Committee on Judiciary.
- 3 Reported back, February 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two of division fourteen of chapter thirty eight of the Revised Statutes of this State.

Section 1. Be it enacted By the People of the State of Illinois, represented

the General Assembly, That section two of division fourteen of chapter thirty eight of the Revised Statutes of this State, be, and the same is hereby amended to read as follows:

"Section 2. Whenever any person shall be condemned to suffer death by hanging for any crime of which such person shall have been convicted, in any court of this State, such punishment shall be inflicted within the walls of the prison of the county in which such conviction shall have taken place, or within an enclosure adjoining such prison, or within the walls of one of the penitentiaries of this State. And it is hereby made the duty of the judge pronouncing such sentence to designate where such punishment shall be inflicted, and in case the court orders such punishment to be inflicted in the penitentiary, then it shall be the duty of the sheriff of the county in which such conviction is had, to convey such convicted person to the penitentiary so designated by said court, within twenty days after the adjournment thereof. And it is hereby made the duty of the warden of the penitentiary so designated to receive and safely keep such person until the time fixed for the infliction of such punishment, and then execute the order of said court, and inflict such punishment in accordance with law, and in the same manner as sheriffs, by law, are now required to inflict such punishment in such cases."

1. Received January 26, 1887, and ordered to first reading.
 2. First reading January 26, 1887, and referred to Committee on Appropriations.
 3. Reported back January 28, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act making appropriation to enable the Board of Live Stock Commissioners to carry out the provisions of law until July, 1, 1887.

WHEREAS, The appropriation of ten thousand dollars made by the
2 Thirty-fourth General Assembly to pay the expenses of the Board of
3 Live Stock Commissioners for two years would have been barely sufficient
4 for that purpose under ordinary circumstances; and,

5 WHEREAS, The recent outbreak of pleuro-pneumonia in Chicago and
6 Cook county necessitated the constant attendance of the said board at
7 Chicago since the 18th day of September, 1886, and the constant employ-
8 ment of several veterinarians in investigating and eradicating the dread
9 disease, thus entailing a heavy expense; and,

10 WHEREAS, That appropriation of ten thousand dollars is now exhausted,
11 and the Board of Live Stock Commissioners have no funds to pay the
12 expenses of further prosecuting the investigation and eradication of the
13 said disease, and other contagious diseases among domestic animals in the
14 State until another appropriation is available; and,

15 WHEREAS, A suspension of this work would cause a great loss and
16 damage to the live stock interests of the State and render useless all
17 that has been hitherto done in this regard; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the sum of fifteen thousand dollars*

3 \$15,000, or so much thereof as shall be necessary, be and the same is
4 hereby appropriated out of any moneys in the State Treasury not other
5 wise appropriated, for the purpose of carrying out the provisions of "An
6 act to revise the law in relation to the suppression and prevention of the
7 spread of contagious and infectious diseases among domestic animals,
8 approved June 27, 1885, in force July 1, 1885, or any amendments thereto,
9 till July 1, 1887: *Provided*, that no part of this sum shall be used for
10 the payment of damages for animals slaughtered under the provisions of
11 that act.

§ 2. WHEREAS, As shown in the foregoing preamble, an emergency now
2 exists, this act shall be in force from and after its passage.

1. Introduced by Mr. Curtiss, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Judiciary.
3. Reported back February 25, 1887, passage recommended and ordered to second reading.
4. Second reading March 22, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend section two of division 14 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section two of division fourteen of an act enti-
3 tled "An act to revise the law in relation to criminal jurisprudence,"
4 approved March 27, 1874, in force July 1, 1874, be, and the same is hereby
5 amended so as to read as follows:
6 "Section 2. Whenever any person shall be condemned to suffer death
7 by hanging, for any crime of which such person shall have been con-
8 victed, in any court of this State, such punishment shall be inflicted
9 within the walls of the prison of the county in which such conviction
10 shall have taken place, or within an enclosure adjoining such prison, or
11 within the walls of one of the penitentiaries of this State. And it is
12 hereby made the duty of the judge pronouncing such sentence to desig-
13 nate where such punishment shall be inflicted; and in case the court
14 orders such punishment to be inflicted in the penitentiary, then it shall
15 be the duty of the sheriff of the county in which such conviction is had,
16 to convey such convicted person to the penitentiary so designated by said
17 court, within twenty days after the adjournment thereof. And it is hereby

18 made the duty of the warden of the penitentiary so designated to receive
19 and safely keep such person until the time fixed for the infliction of such
20 punishment, and then execute the order of said court, and inflict such
21 punishment in accordance with law, and in the same manner as sheriffs,
22 by law, are now required to inflict such punishment in such cases

1. Introduced by Mr. Wheeler, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 3, with amendments, passage recommended and referred to Committee on Appropriations.
4. Reported back April 8, 1887, with amendment, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations for the ordinary and other expenses of the Illinois Eastern Hospital for the Insane, at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the purposes hereinafter named and for no other:

5	Addition to No. 1, north.....	\$ 8,492
6	South wing employe's quarters.....	15,000
7	Addition to bath house.....	4,000
8	Rendering apparatus and building.....	3,500
9	Projections for outside water closets.....	6,000
10	Painting, inside and outside.....	7,500
11	Pipe covering.....	5,000
12	Concrete roads for food cars.....	2,500
13	Enclosure of grounds by wall.....	10,000
14	Furniture and fixtures.....	20,000
15	Trucks, track and scales for main boiler house.....	1,200
16	Mortuary building.....	6,000
17	Tower clock and bell.....	2,000

18	Sidewalk with north side of ground	9,000
19	Stone stable building	8,000
20	Land	10,000
21	Repairs and improvements per annum for two years	15,000
22	Library and means of recreation for patients per annum for two years	2,000
23	Additional stock and farm implements per annum for two years	3,000
24	Improvement of grounds per annum for two years	3,500

25 For ordinary expenses for one year from July 1, 1887, the sum of two hun-
 26 dred and fifty-five thousand (\$255,000) dollars, and from the 1st of July, 1888,
 27 at the rate of two hundred and fifty five thousand (\$255,000) dollars per annum
 28 until the expiration of the first fiscal quarter after the adjournment of the next
 29 General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the
 2 trustees, or their order, only on the terms now provided by law: *And, pro-*
 3 *vided further,* that the sums hereby appropriated for the improvements herein
 4 shall be the full amounts for the objects specified, and the trustees shall not
 5 contract for any portion of the above improvements or expend any portion of
 6 the appropriations hereby made, unless the said appropriations is sufficient to
 7 complete all the said improvements and finish the same.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIA- TIONS TO SENATE BILL No. 74.

Amend by striking out lines 9, 10, 11, 12 and 13 on page 1

2 Also amend line 14 by striking out the figures "7,500," and insert the figures
 3 "5,000" in lieu thereof.

4 Also amend by striking out lines 15, 16 and 17, page 1

5 Also amend line 18 by striking out the figures "20,000" and inserting the
 6 figures "10,000" in lieu thereof

7 Also amend by striking out line 19

8 Also amend line 20 by striking out the figures "6,000" and inserting the figures
 9 "3,000" in lieu thereof

10 Also amend by striking out lines 21, 22 and 23, page 1.

11 Also amend line 25, page 1, by striking out the figures "15,000" and insert the
12 figures "10,000" in lieu thereof

13 Also amend line 26 by striking out after the word "library" the words "and
14 means of recreation."

15 Also amend line 27 by striking out the figures "2,000" and insert the figures
16 "500" in lieu thereof.

17 Also amend line 29 by striking out the figures "3,000" and insert the figures
18 "1,500" in lieu thereof

19 Also amend line 30 by striking out the figures "3,500" and insert the figures
20 "1,000" in lieu thereof

21 Also amend line 2, page 2, by striking out the words "fifty-five" and insert the
22 word "forty;" also amend in same line by striking out the figures "255,000," and
23 insert the figures "240,000."

24 Also amend line 3, page 2, by striking out the words "fifty-five" and insert the
25 word "forty" in lieu thereof

26 Also amend line 4, page 2, by striking out the figures "255,000" and insert
27 the figures "240,000."

1. Introduced by Mr. Wheeler, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 3, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 8, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the Eastern Hospital for the Insane at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Eastern Hospital for the Insane at Kankakee, for the purpose of providing the said hospital with necessary means to take care of 1,000 patients:

6	For construction of bakery and store room for flour	\$14,160
7	For extending main kitchen	9,000
8	For additional boilers, chimney-stack and coal house	18,000
9	For additional stock barn	2,500
10	For additional electric light, inside and outside	9,000
11	For extending water main	7,500
12	For new amusement hall	20,000
13	For house for superintendent	10,000

§ 2. The trustees shall not contract for nor begin the erection of any buildings or other improvements which cannot be fully completed within the amount of the present appropriations, but they may use any unexpended balances of the appropriations heretofore made or herein specified, for the better accomplishment of the purposes of this act, namely, to make the

6 earliest and fullest provision for the insane of this State which may be
 7 expedient and possible: *Provided*, no portion of any sum herein appropriated
 8 shall be diverted from the specific purpose for which it is appropriated.

§ 3. The moneys herein appropriated shall be due and payable to the
 2 trustees, or their order, only on the terms and in the manner now provided
 3 by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIA TIONS TO SENATE BILL NO. 75.

1 Amend line 9 by striking out the figures "14,100," and insert the figures
 2 "4,000," in lieu thereof.

3 Also amend by striking out line 10.

4 **Also** amend line 11 by striking out the figures "18,000," and insert the
 5 figures "7,000," in lieu thereof.

6 Also amend line 12 by striking out the figures "2,500," and insert the figures
 7 "1,500," in lieu thereof.

8 Also amend by striking out lines 13, 14, 15 and 16.

1. Introduced by Mr. Wheeler, January 19, 1887, and ordered to first reading.
2. First reading January 19, 1887, and referred to Committee on Charitable Institutions.
3. Reported back March 3, 1887, passage recommended and referred to Committee on Appropriations.
4. Reported back April 8, 1887, with amendments, passage recommended, and ordered to second reading.
5. Second reading April 26, 1887, amended and ordered to third reading.

A BILL

For An Act making appropriations for the Eastern Hospital for the Insane, at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following amounts be and are hereby
3 appropriated to the Illinois Eastern Hospital for the Insane at Kankakee,
4 for the purpose of providing the said hospital with necessary means to take
5 care of 1,600 patients.

6	For construction of bakery and store-room for flour.....	\$6,000
7	For additional boilers, chimney-stack and coal-house	7,000
8	For additional stock barn	1,500

§ 2. The trustees shall not contract for nor begin the erection of any
2 buildings or other improvements which cannot be fully completed within
3 the amount of the present appropriations, but they may use any unex-
4 pended balances of the appropriations heretofore made or herein specified
5 for the better accomplishment of the purposes of this act, namely: to
6 make the earliest and fullest provision for the insane of this State which
7 may be expedient and possible: *Provided*, no portion of any sum herein

8 appropriated shall be diverted from the specific purpose for which it is
9 appropriated.

§ 3. The moneys herein appropriated shall be due and payable to the
2 trustees, or their order, only on the terms and in the manner now pro-
3 vided by law.

1. Introduced by Mr. Bacon, of Will, January 19, 1887, and ordered to first reading.
 2. First reading January 19, 1887, and referred to Committee on Judiciary.
 3. February 16, 1887, reported back, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section 106 of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* section one hundred and six (106), of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 106. Will, in March, July and November."

1. Received from House April 9, 1887.
2. First reading April 9, 1887, and referred to Committee on Appropriations.
3. May 19, 1887, reported back, passage recommended, and ordered to second reading.

A BILL

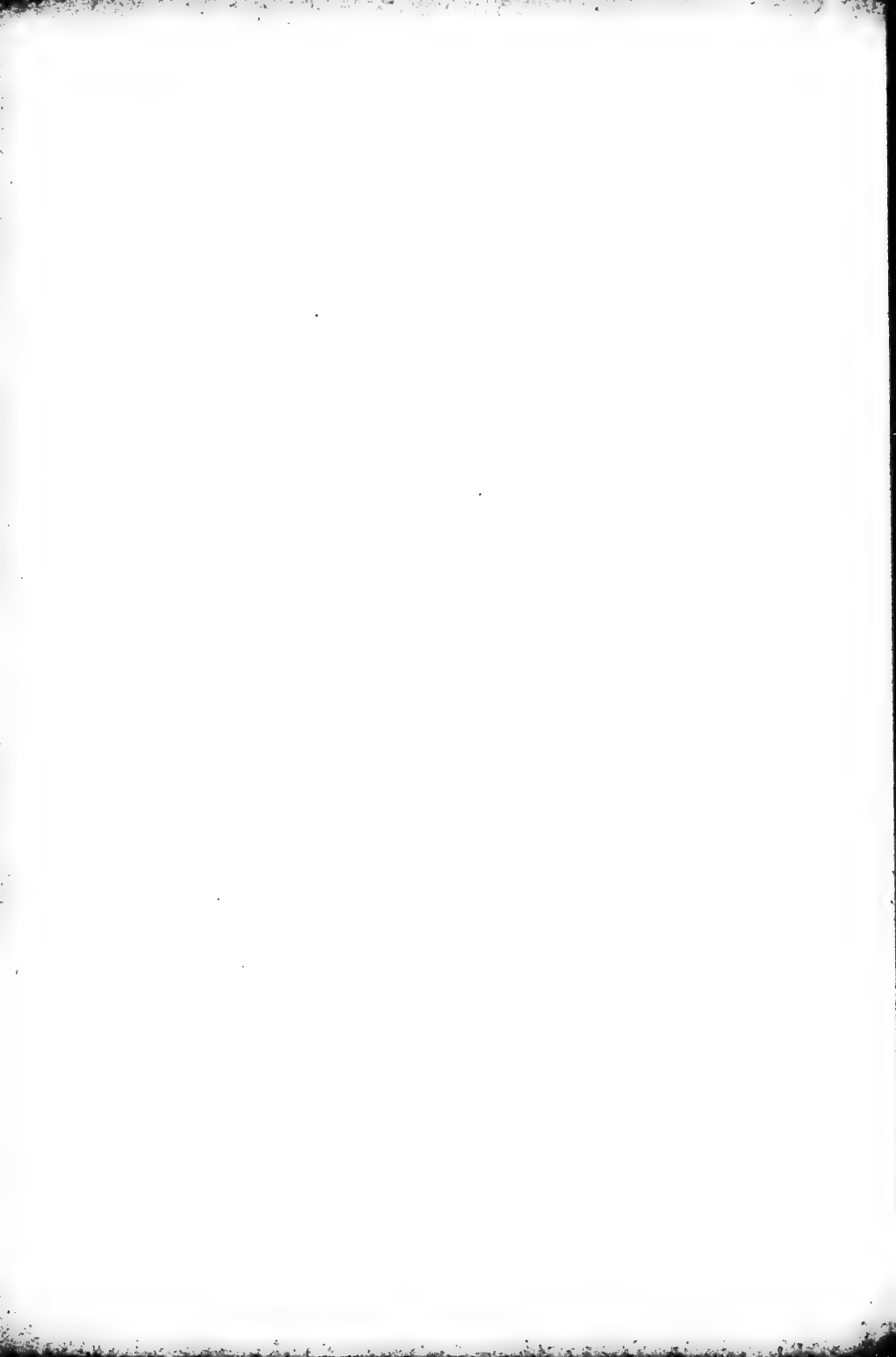
For An Act making appropriation for the relief of John A. Dyle, who was disabled through the premature discharge of a piece of ordnance belonging to the State Arsenal.

WHEREAS, at a soldier's re-union, held at Sterling, Illinois, on the 20th day of February, A. D. 1874, John A. Lyle, who served three years in Company E, 92d Regiment Illinois Mounted Infantry, was deprived of both arms, through the premature discharge of a piece of ordnance belonging to the State of Illinois, and furnished for said occasion by proper requisition; and

WHEREAS, said piece of ordnance was unsafe to handle, for reason of being honeycombed so that it held fire, thereby causing a premature discharge, and the loss to the said John A. Lyle of both of his arms, as aforesaid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of three thousand dollars (3,000.00) be appropriated out of the treasury out of any funds not otherwise appropriated, for the purpose of compensating the said John A. Lyle in full for all damages that may have accrued to him through the premature discharge of said piece of ordnance.*

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum in this act specified, to the order of said John A. Lyle, and the State Treasurer shall pay the same out of any funds not otherwise appropriated.



1. Introduced by Mr. Humphrey, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Canals and Rivers.
3. Reported back January 25, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to cede certain Locks and Dams in the Illinois River to the United States.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the locks and dams in the Illinois river built by the State of Illinois and all privileges and appurtenances belonging thereto, are hereby ceded to the United States upon the following express conditions, viz: The acceptance of this grant shall be construed as an agreement on the part of the United States to make the necessary improvements to be determined by United States engineers for a complete water way for steam navigation water seven feet deep from the Mississippi river to Lake Michigan by way of the Illinois river, the Desplumies river, the Illinois and Michigan canal, or in part by each or otherwise, as may be deemed more practicable by said engineers. A further condition is that when said improvements shall be completed, the water way opened thereby, shall be maintained for commercial purposes, to be used by all persons without distinction, subject to such rules and regulations as Congress may prescribe.

§ 2. Whereas, the subject matter of this bill is now pending before Congress, an emergency exists, therefore this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Gore, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back February 27 and recommended to be referred to the Committee on Appropriations.
4. Reported back March 23 with amendment, passage recommended and ordered to second reading.

A BILL

For An Act making an appropriation for the State Board of Agriculture and county and other Agricultural fairs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That there be, and is hereby appropriated to the*
3 *State Board of Agriculture, the following sums to-wit: For the payment*
4 *of premiums at the annual State Fair and Fat Stock Show, the sum of*
5 *five thousand dollars per annum, for the years 1887 and 1888, and for the*
6 *use of each county or other agricultural society the sum of one hundred*
7 *dollars per annum, to be paid to the treasurer of the society for fairs*
8 *held in the years 1886 and 1887*

9 For the salary of the Secretary, the sum of twenty-five hundred dollars
10 per annum, for the years 1887 and 1888

11 For Chief Clerk, the sum of sixteen hundred dollars per annum, for the
12 years 1887 and 1888

13 For Clerk hire, the sum of one thousand dollars per annum, for the
14 years 1887 and 1888.

15 For Curator, the sum of eight hundred dollars per annum, for the years
16 1887 and 1888.

17 For Porter, the sum of eight hundred dollars per annum, for the years
18 1887 and 1888.

19 For the agricultural museum, the sum of three hundred dollars per
20 annum, for the years 1887 and 1888.

21 For the expense of collecting and compiling crop and meteorological sta-
22 tistics and proceedings of Institute Meetings, the sum of twelve hundred
23 dollars per annum, for the years 1887 and 1888, and the Commissioners of
24 State contracts from and after January 1, 1887, shall have such number
25 of the monthly reports containing such statistics and proceedings printed
26 and bound, as the State Board of Agriculture may designate.

27 For the Agricultural Library, the sum of four hundred dollars per annum
28 for the years 1887 and 1888.

29 For office expenses, furniture, repairs, postage, expressage, the sum of
30 twelve hundred dollars per annum, for the years 1887 and 1888.

§ 2. That on the order of the president, countersigned by the secretary
2 of the State Board of Agriculture and approved by the Governor, the State
3 Auditor shall draw his warrant upon the treasurer, in favor of the treasurer
4 of the State Board of Agriculture, for the sums herein appropriated. *Pro-*
5 *vided*, that each warrant shall show the agricultural society for whose
6 benefit the same is drawn, and that no warrant shall be drawn in favor
7 of any agricultural society, unless the order aforesaid be accompanied by a
8 certificate of the State Board of Agriculture, showing that such agricultural
9 society held an agricultural fair during the preceding year, in compliance
10 with the rules and regulations as provided by law. *Provided, further*, that
11 no part of the moneys herein provided for shall be drawn from the public
12 treasury prior to the first day of July, A. D. 1887.

§ 3. It shall be the duty of the treasurer of the State Board of
2 Agriculture, on the order of the president, countersigned by the secretary
3 of the State Board of Agriculture, to pay over to the proper officer of
4 each agricultural society the sum received for its use and benefit as afore-

5 said, and make a biennial report to the Governor, of all such appropriations
6 received and disbursed by him.

AMENDMENT PROPOSED BY THE COMMITTEE ON APPROPRIATIONS
TO SENATE BILL NO. 85.

Amend by adding to section two the following: "*And provided, further, that*
no warrant shall be drawn in favor of any agricultural society until the presi-
3 dent and treasurer of such society filed an affidavit with the State Board of
4 Agriculture that no wheel of fortune or any other gambling device were
5 licensed or allowed upon their fair grounds.

1. Received from House, June 10, 1887, and ordered to first reading.
2. First reading June 10, 1887, and ordered to second reading.

A BILL

For An Act making appropriations for new buildings for the Illinois Northern
Hospital for the Insane.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following sums, or so much thereof as may
3 be necessary, be and the same is hereby appropriated to the Illinois Northern
4 Hospital for the Insane, at Elgin, for the purposes herein specified and for no
5 other:

6 *First*—For the erection, completion, heating, lighting and furnishing of new
7 hospital buildings on the grounds of said hospital, at Elgin, for the proper
8 accommodation and care of 600 patients, one hundred and sixty-seven thous-
9 and eight hundred and forty-seven dollars (\$167,847).

10 *Second*—For side-track from the main line of the railroad to the
11 hospital buildings—a distance of one and a half miles—ten thousand dollars
12 (\$10,000).

13 *Third*—The trustees shall not contract for nor begin the erection of any
14 building or buildings which cannot be fully completed within the amount of
15 the present appropriations; but they may use any unexpended balances of
16 the appropriation herein specified, for the better accomplishment of the pur-
17 poses of this act, namely: To make the earliest and fullest provision for the
18 insane of this State which may be expedient and possible: *Provided*, no por-
19 tion of any sum herein appropriated shall be diverted from the general
20 purpose for which it is appropriated.

21 ~~Fourth~~—The moneys herein appropriated shall be due and payable
22 to the trustees of said Illinois Northern Hospital for the Insane, at
23 Elgin, or their order, only on the terms and in the manner now
24 provided by law.

1. Introduced by Mr. Gore, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 24, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That each superintendent of any hospital for the insane in this State, shall hereafter, on the first day of January and July of each year, furnish the clerk of the county court of the proper county thereof, with a full and complete list of all insane patients confined in said hospital from said county, stating the date of admission of each, whether said patients be paupers, the present mental and physical condition of each; also giving the names of such as may have died or been discharged since last report, with date of such death or discharge.

§ 2. Any such superintendent failing to comply with the foregoing section shall be liable to a fine of one hundred dollars for each failure, to be collected by suit, before a justice of the peace of the county wherein such hospital is situate, on complaint of such clerk of the county court, or other person having relatives or friends confined in said hospital.

1. Introduced by Mr. Gibbs, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Judiciary.
3. Reported back March 4, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act entitled an act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That it shall be lawful for the judges of the several courts of record in the several counties of this State, or a majority of said judges in said several counties to choose three competent and discreet voters, who shall not be by law exempt or disqualified from serving as jurors, and who shall be known as jury commissioners. Of the first three so chosen, one shall hold his office for one year, one for two years and one for three years, to be determined by lot, and every year thereafter one such officer shall be so chosen for the term of three years. Each of said commissioners before entering upon the duties of his office shall take and subscribe to an oath of office before one of said judges and shall execute a bond to the people of the State of Illinois in such sum and with such sureties, as shall be required by such judge, and be, by him, approved, conditioned for the faithful discharge of his duties as such commissioner during his term of office. The majority of the judges of such county may remove either of such commissioners, without assigning reasons therefor.

§ 2. The said commissioners upon entering upon the duties of their office and each year thereafter, shall prepare a list of all voters between the ages of

3 twenty-one and sixty years, and possessing the necessary legal qualifications for
 4 jury duty to be known as the *jury list*. The name of each person on said list
 5 shall be entered in a book or books to be kept for that purpose, and opposite
 6 said name shall be entered the age of said person, his occupation, if any, his
 7 place of residence, giving street and number, if any, whether or not he is a
 8 householder, residing with his family, and whether or not he is a free holder.

§ 3. The said commissioners are empowered to provide a suitable room
 2 or rooms in which to transact their business, and, with the approval of the
 3 judges or a majority of the same, to appoint a clerk and the requisite number
 4 of assistants. The clerk, if there be one, shall be on duty at the room or rooms
 5 of said commissioners each day during the sessions of the court; if there be no
 6 clerk then one, at least, of said commissioners shall, in like manner be present.
 7 The said commissioners shall have power, with the approval of the judge or
 8 judges, to appoint a competent voter in each or any voting precincts or dis-
 9 tricts, who shall be known as deputy jury commissioner, and whose duty it
 10 shall be to furnish said jury commissioners, from time to time, as required, a
 11 list of the qualified voters residing in said voting precinct or district, and
 12 such other information as may be required by said jury commissioners.

§ 4. The said jury commissioners shall, from time to time, select from
 2 said jury list the requisite number of names, which shall each be written on a
 3 separate ticket, with the age, place of residence and occupation of each, if
 4 known, the whole to be put into a box to be kept for that purpose and to be
 5 known as the jury box. In like manner they shall select the necessary num-
 6 ber of names from said jury list and from among those who are freeholders and
 7 householders residing with their families, whose names shall each be written on
 8 a separate ticket, with the age, place of residence and occupation of each, if
 9 known, and put the whole into another box to be kept for that purpose and
 10 known as the grand jury box. The jurors so selected shall as near as may be,
 11 be residents of different parts of the county, and of different occupations.
 12 Within twenty days and not less than five days before the commencement of
 13 each term of court, the judge shall certify to the clerk of the court the number

14 of jurors required at such term. The said clerk shall then repair to the office
 15 of the jury commissioners and in the presence of at least two of said commis-
 16 sioners and also in presence of the clerk of said commissioners, if there be one,
 17 proceed to draw at random from said jury box after the same shall have been
 18 well shaken, the necessary number of names and shall certify the same to the
 19 sheriff to be by him summoned according to law. If more jurors are needed
 20 during said term they shall be drawn and summoned in like manner.

§ 5. Whenever a grand jury shall be required by law or by order of the
 2 judge they shall be drawn from the grand jury box and summoned in like man-
 3 ner as provided in the last section. At the end of each term of court the said
 4 jury commissioners shall ascertain the names of all persons who have served
 5 and all who have been excused as jurors during said term, and the names of
 6 such as have served shall then be checked off from the said jury list and shall
 7 not again be placed in either jury box until all others on said list shall have
 8 served or been found to be disqualified or exempt, and the names of all who
 9 have been excused shall again be placed in the jury box.

§ 6. The said jury commissioners, deputy jury commissioners, clerks and
 2 assistants shall be paid for their services by the county treasurer of the several
 3 counties such compensation as shall be fixed by the judges of the several
 4 courts of record upon warrants drawn by the clerk of the court and counter-
 5 signed by one or more of the judges. The office expenses of said jury commis-
 6 sioners shall be paid in like manner.

AMENDMENTS TO SENATE BILL No. 87, PROPOSED BY JUDICIARY COMMITTEE.

First—In line two (2), of section one (1), after the word "that," strike out
 2 "it shall be lawful for."

Second—In line four (4), of section one (1), after the word "counties,"
 4 strike out the word "to," and insert, "may in their discretion."

Third—In line two (2), of section two (2), after the word "all," erase the
 6 word "voters," and insert "electors."

7 *Fourth*—In line six (6), of section three (3), after the word “present,” add
8 “if so ordered by the court.”

9 *Fifth*—In line eight (8), section three (3), after the word “competent,”
10 strike out “voter” and insert “elector.”

11 *Sixth*—In line eleven (11), section three (3), after the word “qualified,”
12 strike out the word “voters,” and insert “electors.”

13 *Seventh*—In lines twelve (12) and thirteen (13), of section four (4), strike
14 out the words, “within twenty days,” and the words “not less than five days
15 before the commencement of each term of court the judge,” and after the
16 word “and,” in line twelve (12), insert, “one or more of the judges of said
17 court.”

18 *Eighth*—In line fourteen (14), of section four (4), after the word “at,” strike
19 out “such,” and insert the word “each.”

20 *Ninth*—In line twenty (20), section four (4), after the word “term,” strike
21 out “they shall be drawn and summoned in like manner,” and add, “the court
22 shall so certify, and they shall be drawn and summoned as above provided
23 forthwith.”

24 *Tenth*—In lines three (3) and four (4), of section six (6), after the word “the,”
25 strike out “judges of the several courts of record,” and insert “County
26 Board.”

27 *Eleventh*—In lines four (4) and five (5), of section six (6), after the word
28 “the,” in said line four (4), strike out “court and countersigned by one or
29 more of the judges,” and insert “County Board.”

30 *Twelfth*—At the end of line six (6), section six (6), add “*Provided, however,*
31 that the compensation of any such commissioner, deputy or clerk shall not
32 exceed the sum of \$2,000 per annum.”

1. Introduced by Mr. Gibbs, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Judiciary.
3. Reported back March 4, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 16, 1887, amended and ordered to a third reading.

A BILL

For An Act entitled "An act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the judges of the several courts of record in the several counties of this State, or a majority of said judges in said several counties, may in their discretion choose three competent and discreet electors, who shall not be by law exempt or disqualified from serving as jurors, and who shall be known as jury commissioners. Of the first three so chosen, one shall hold his office for one year, one for two years and one for three years, to be determined by lot, and every year thereafter one such officer shall be so chosen for the term of three years. Each of said commissioners before entering upon the duties of his office shall take and subscribe to an oath of office before one of said judges and shall execute a bond to the people of the State of Illinois in such sum and with such sureties as shall be required by such judge, and be by him approved, conditioned for the faithful discharge of his duties as such commissioner during his term of office. The majority of the judges of such county may remove either of such commissioners without assigning reasons therefor.

§ 2. The said commissioners upon entering upon the duties of their office,
 2 and each year thereafter, shall prepare a list of all voters between the ages of
 3 twenty-one and sixty years, and possessing the necessary legal qualifications
 4 for jury duty, to be known as the *jury list*. The name of each person on said
 5 list shall be entered in a book or books to be kept for that purpose, and
 6 opposite said name shall be entered the age of said person, his occupation, if
 7 any, his place of residence, giving street and number, if any, whether or not
 8 he is a householder, residing with his family, and whether or not he is a free
 9 holder.

§ 3. The said commissioners are empowered to provide a suitable room or
 2 rooms in which to transact their business, and with the approval of the judges
 3 or a majority of the same, to appoint a clerk and the requisite number of
 4 assistants. The clerk, if there be one, shall be on duty at the room or rooms
 5 of said commissioners each day during the sessions of the court; if there be
 6 no clerk, then one, at least, of said commissioners shall, in like manner, be
 7 present, if so ordered by the court. The said commissioners shall have power
 8 with the approval of the judge or judges to appoint a competent voter in
 9 each or any voting precincts or districts, who shall be known as deputy jury
 10 commissioner, and whose duty it shall be to furnish said jury commissioners,
 11 from time to time, as required, a list of the qualified electors residing in said
 12 voting precinct or district, and such other information as may be required by
 13 said jury commissioners.

§ 4. The said jury commissioners shall, from time to time, select from
 2 said jury list the requisite number of names, which shall each be written on
 3 a separate ticket, with the age, place of residence and occupation of each, if
 4 known, the whole to be put into a box to be kept for that purpose and to be
 5 known as the jury box. In like manner they shall select the necessary
 6 number of names from said jury list and from among those who are free
 7 holders and householders residing with their families, whose names shall each
 8 be written on a separate ticket, with the age, place of residence and occupation
 9 of each, if known, and put the whole into another box to be kept for that

10 purpose and known as the grand jury box. The jurors so selected shall, as
11 near as may be, be residents of different parts of the county, and of different
12 occupations; and one or more of the judges of said court shall certify to the
13 clerk of the court the number of jurors required at each term. The said
14 clerk shall then repair to the office of the jury commissioners, and in the
15 presence of at least two of said commissioners and also in presence of the
16 clerk of said commissioners, if there be one, proceed to draw at random from
17 said jury box, after the same shall have been well shaken, the necessary
18 number of names, and shall certify the same to the sheriff to be by him
19 summoned according to law. If more jurors are needed during said term the
20 court shall so certify, and they shall be drawn and summoned as above pro-
21 vided, forthwith.

§ 5. Whenever a grand jury shall be required by law, or by order of the
2 judge, they shall be drawn from the grand jury box and summoned in like
3 manner as provided in the last section. At the end of each term of court
4 the said jury commissioners shall ascertain the names of all persons who
5 have served and all who have been excused as jurors during said term, and
6 the names of such as have served shall then be checked off from the said
7 jury list and shall not again be placed in either jury box until all others on
8 said list shall have served, or been found to be disqualified or exempt, and
9 the names of all who have been excused shall again be placed in the jury
10 box.

§ 6. The said jury commissioners, deputy jury commissioners, clerks and
2 assistants shall be paid for their services by the county treasurer, of the several
3 counties, such compensation as shall be fixed by the county board, upon war-
4 rants drawn by the clerk of the county board. The office expenses of said
5 jury commissioners shall be paid in like manner: *Provided, however,* that the
6 compensation of any such commissioner, deputy or clerk shall not exceed the
7 sum of \$2,000 per annum.



1. Introduced by Mr. Wheeler, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 12 of an act entitled "An act concerning jurors, and to repeal certain acts therein named," approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section 12, of an act entitled "An act concern-
3 ing jurors, and to repeal certain acts therein named," approved and in force
4 February 11, 1874, be and the same is hereby amended so as to read as follows:
5 "Section 12. The judge shall examine the jurors who appear, and if more
6 than thirty jurors who are qualified and not subject to any exemption, or any
7 other disqualifications provided in this act, shall appear and remain after all
8 excuses are allowed, the court shall discharge by lot the number in excess of
9 twenty-seven. If for any reason the panel of petit jurors shall not be full
10 at the opening of such court, or at any time during the term, the clerk of
11 such court may again repair to the office of the county clerk and draw in
12 the same manner as at the first drawing such number of jurors as the court
13 may direct, to fill such panel, who shall be summoned in the same manner
14 as the others, and if necessary, jurors may continue to be so drawn and sum-
15 moned from time to time until the panel shall be filled. In case a jury shall
16 be required in such court for trial of any cause, before the panel shall be
17 filled in the manner herein provided, the court shall direct the sheriff to
18 summon from the bystanders, or from the body of the county, a sufficient

19 number of persons having the qualifications of jurors, as provided in this act
20 to fill the panel, in order that a jury to try such cause may be drawn there-
21 from, and when such jury is drawn, the persons selected from the bystanders,
22 or from the body of the county, to fill the panel, and not chosen on the jury
23 shall also be discharged from the panel at the conclusion of the trial: *Provided,*
24 that persons selected from the bystanders, as provided in this section, shall
25 not thereby be disqualified or exempt from service as jurors when regularly
26 drawn by the clerk for that purpose, in the manner provided in this act

- 1 Introduced by Mr. Thompson, January 20, 1887, and ordered to first reading.
 - 2 First reading January 20, 1887, and referred to Committee on Education and Educational Institutions.
 - 3 Reported back January 28, with recommendation that it be referred to Committee on Appropriations.
 - 4 Reported back February 10, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act making an appropriation for the ordinary expenses of the State Laboratory of Natural History, for the improvement of the library thereof, and for the expenses of the State Entomologist's office

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.* That there is hereby appropriated to the State
3 Laboratory of Natural History, for the field work and the office and incidental
4 expenses, the sum of one thousand dollars (\$1,000) per annum.
5 For the improvement of the library, the sum of one thousand dollars
6 (\$1,000) per annum.
7 For the salary of the director, the sum of two thousand dollars (\$2,000)
8 per annum.
9 For the pay of the assistants, the sum of three thousand dollars (\$3,000)
10 per annum.
11 For the publication of bulletins, the sum of three hundred dollars (\$300)
12 per annum.
13 For the illustration of the biennial report of the State Entomologist, the
14 sum of five hundred dollars (\$500).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the Treasurer for the sums hereby appropriated, upon

3 the order of the president of the board of trustees of the University of Illi
4 nois, attested by its secretary, and with the corporate seal of the University
5 *Provided*, that no part of said sums shall be due and payable to said institu-
6 tion until satisfactory vouchers in detail, approved by the Governor shall be
7 filed with the Auditor for all previous expenditures incurred by the institu-
8 tion on account of appropriations heretofore made: *And, provided, further*,
9 that vouchers shall be taken in duplicate, and original or duplicate vouchers
10 shall be forwarded to the Auditor of Public Accounts for the expenditures of
11 the sums appropriated under this act.

§ 3. This act shall be and continue in force from the first day of July, A
2 D. 1887, until the expiration of the first fiscal quarter after the adjournment
3 of the next General Assembly.

1. Introduced by Mr. Streeter, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to prohibit selling, giving or furnishing tobacco in any of its forms to minors, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That hereafter no person or persons in this State
3 shall sell or furnish any cigars, cigarettes or tobacco in any of its forms
4 to any minor under sixteen years of age.

§ 2. That if any person or persons in this State shall violate the provisions
2 of this act he, she or they shall, on conviction thereof, forfeit and pay for
3 each and every offense the sum of twenty dollars.

AMENDMENT TO SENATE BILL No. 92, PROPOSED BY THE COMMITTEE ON EDUCATION, ETC.

Amend by adding the following to section 1 of this bill, viz.: "Unless upon
2 the written order of parent or guardian."

1. Introduced by Mr. Streeter, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1887, with amendment, passage recommended, and ordered to second reading.
4. Second reading February 25, 1887, and temporarily postponed.
5. Amended March 1, 1887, and ordered to a third reading.

A BILL

For An Act to prohibit selling, giving or furnishing tobacco in any of its forms
to minors, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That hereafter no person or persons in this State
3 shall sell or furnish any cigars, cigarettes or tobacco, in any of its forms, to
4 any minor under sixteen years of age, unless upon the written order of
5 parent or guardian.

§ 2. That if any person or persons, in this State, shall violate the pro-
2 visions of this act, he, she or they shall, on conviction thereof, forfeit and
3 pay for each and every offense the sum of twenty dollars.

1. Introduced by Mr. Streeter, January 20, 1887, and ordered to first reading.
 2. First reading January 20, 1887, and referred to Committee on Education and Educational Institutions.
 3. Reported back February 18, 1887, with amendment, passage recommended, and ordered to second reading.
 4. Second reading February 25, 1887, and temporarily postponed.
 5. Amended March 1, 1887, and ordered to a third reading.
 6. Ordered back to second reading March 16, 1887, amended, and ordered to a third reading.
-

A BILL

For An Act to prohibit selling, giving or furnishing tobacco in any of its forms to minors, and providing a penalty therefor.

§ 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter no person or persons in this State shall sell, buy for, or furnish any cigars, cigarettes or tobacco in any of its forms, to any minor under sixteen years of age, unless upon the written order of parent or guardian.

§ 2. That if any person or persons, in this State, shall violate the provisions of this act he, she or they shall, on conviction thereof, forfeit and pay for each and every offense the sum of twenty dollars.

1. Introduced by Mr. Hadley, January 20, 1887, and ordered to first reading.
2. First reading January 20, 1887, and referred to Committee on Judiciary.
3. Reported back February 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections ninety-nine (99), one hundred (100), and one hundred and one (101) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* sections ninety-nine (99), one hundred (100), and one hundred and one (101) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, be and the same are hereby amended so as to read as follows:

"Section 99. The mode of commencing the proceedings for the sale of real estate in such cases shall be by the filing of a petition by the executor or administrator in the circuit or county court of the county where letters testamentary or of administration were issued. The widow, heirs and devisees of the testator or intestate, and the guardians of any such as are minors, and the conservators of such as have conservators, and all persons holding liens against the real estate described in the petition, or any part thereof, or having or claiming any interest therein in possession or otherwise shall be made parties. If there are persons in the premises whose names are not known, then they shall be made parties by the name of unknown owner.

"Section 100. The petition shall set forth the facts and circumstances on which the petition is founded, in which shall be stated the amount of claims

18 allowed, with an estimate of the amount of just claims to be presented, and
19 it shall also contain a statement of the amount of personal estate which has
20 come to the hands of the petitioner, and the manner in which he has dis-
21 posed of the same, with a statement of the amount of claims paid, a particu-
22 lar description of the real estate sought to be sold, and the nature and extent of
23 all liens upon said real estate so far as the same may be known to the peti-
24 tioner. The petition shall be signed by the executor or administrator and
25 verified by his affidavit, and shall be filed at least ten days before the com-
26 mencement of the term of court at which the application shall be made.

27 "Section 101. Such application shall be docketed as other causes, and the
28 petition may be amended, heard or continued for notice or other cause, and
29 the practice in such cases shall be the same as in cases in chancery. The
30 court may direct the sale of such real estate, disincumbered of all mortgage,
31 judgment or other money liens that are due, and may provide for the satis-
32 faction of all such liens out of the proceeds of the sale, and may also settle
33 and adjust all equities and all questions of priority between all parties inter-
34 ested therein; and may also investigate and determine all questions of con-
35 flicting or controverted titles arising between any of the parties to such pro-
36 ceeding, and may remove clouds from the title to any real estate sought to
37 be sold, and invest purchasers with a good and indefeasible title to the premises
38 sold. The court may, with the consent of any mortgagee of the whole or
39 any part of such real estate, whose debt is not due, sell such real estate dis-
40 incumbered of such mortgage, and provide for the payment of such mortgage
41 out of the proceeds of such sale; and may also, with the assent of the person
42 entitled to an estate in dower, or by the courtesy, or for life or for years or
43 of homestead to the whole or in part of the premises, who is a party to the
44 suit, sell such estate with the rest. But such assent shall be in writing and
45 signed by such person and filed in the court wherein the said proceedings are
46 pending. When any such estate is sold the value thereof shall be ascer-
47 tained and paid over in gross, or the proper proportion of the funds invested,
48 and the income paid over to the party entitled thereto during the continuance
49 of the estate."

1. Received from House April 8, 1887, and ordered to first reading.
2. First reading April 8, 1887, and ordered to second reading without reference.

A BILL

For An Act to regulate the Liabilities of Fire Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That in all suits brought upon policies of insurance
3 against loss or damage by fire, hereafter issued or renewed, the defendant shall
4 not be permitted to deny that the property insured thereby was worth at the
5 time of the issuing of the policy the full amount insured therein on said
6 property; and in case of a total loss of the property insured, the measure of
7 damage shall be the amount for which the same was insured, less whatever
8 depreciation in value, below the amount for which the property is insured, the
9 property may have sustained between the time of issuing the policy and the
10 time of the loss; and the burden of proving such depreciation shall be upon the
11 defendant. And in case of a partial loss, the measure of damage shall be that
12 proportion of the value of the whole property insured, ascertained in the manner
13 hereinafter prescribed, which the part injured or destroyed bears to the whole
14 property insured.

§ 2. When fire insurance policies shall be hereafter issued or renewed by
2 more than one company upon the same property, and suit shall be brought upon
3 any of said policies, the defendant shall not be permitted to deny that the
4 property insured was worth the aggregate of the several amounts for which it
5 was insured at the time the policy was issued or renewed thereon, unless fraud
6 is shown on the part of the insured in obtaining such additional insurance.

7 And in such suit the measure of damage shall be as provided in section one
8 of this act: *Provided*, that whatever depreciation in value below the amount
9 for which the property is insured may be shown, as provided in section one
10 of this act, shall be deducted from the amount insured in each policy in the
11 proportion which the amount insured in each such policy bears to the aggregate
12 of all the amounts so insured on such property.

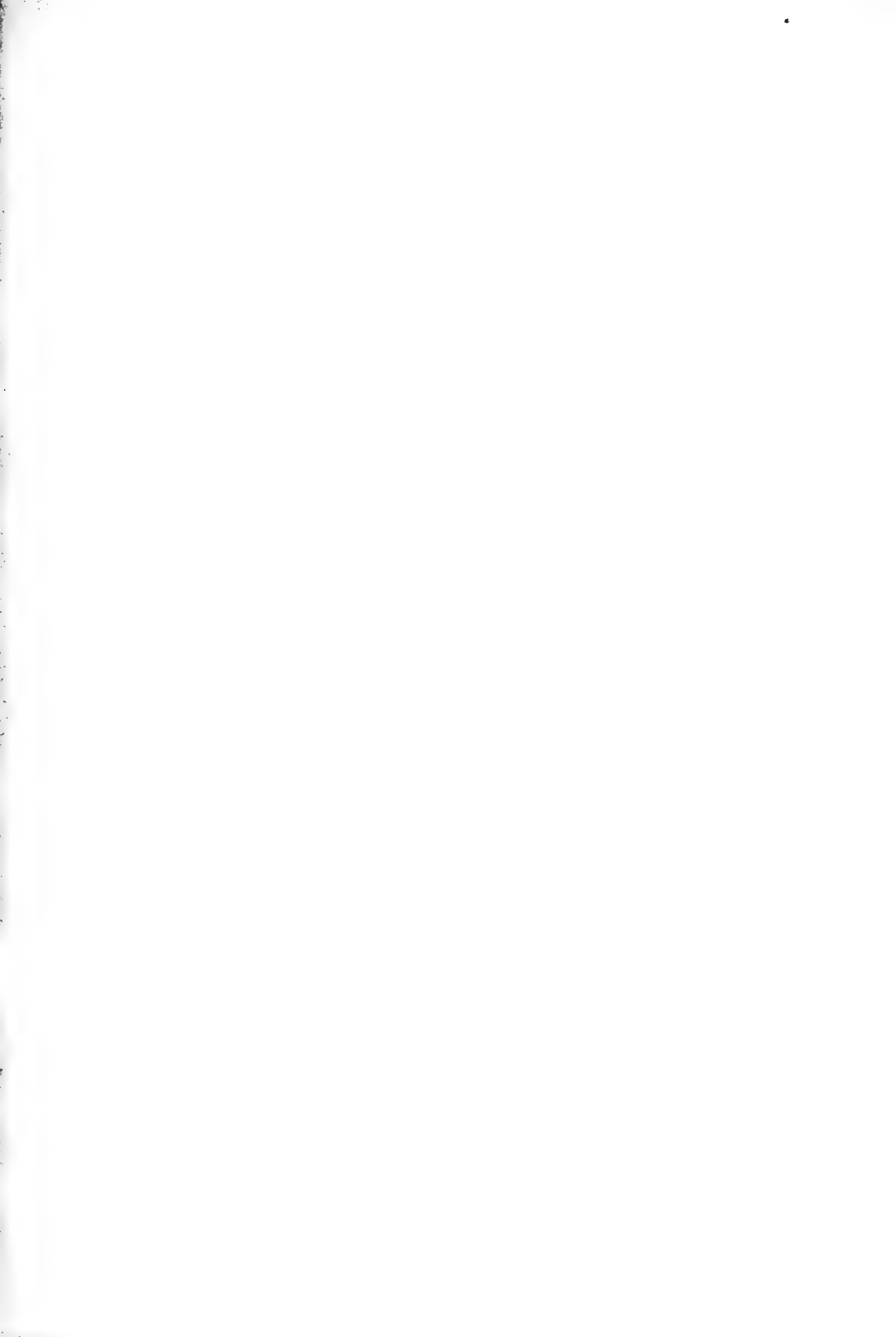
§ 3. This act shall apply only to real property injured

- 1 Introduced by Mr. Curtiss, January 20, 1887, and ordered to first reading.
- 2 First reading January 20, 1887, and referred to Committee on Judiciary.
- 3 Reported back February 25, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to appeals from the decisions of justices of the peace in civil suits.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That when an appeal is taken from the decision of a justice of the peace in any civil suit, if the person or party taking the appeal shall fail, neglect or refuse to pay the docket fee in the court to which the appeal is taken, or to have the case put upon the docket of such appellate court ten days before the first day of the second term thereof, after the appeal bond has been approved, then, unless the case has been put upon the docket by the appellee, such appeal shall be held to be vacated and set aside, and further proceedings may be had in such case in the trial court the same as though an appeal had not been taken. And the clerk of such appellate court, if the appeal bond had been approved by a justice of the peace, shall then return to such justice all the papers and files in the case, with his certificate stating that the docket fee has not been paid, or the case has not been put upon the docket of such appellate court as provided by law, which facts shall be noted by such justice upon his docket.



1 The People of the State of Illinois, 1887.
2 The People of the State of Illinois, do hereby enact and give force
3 to the following Act, to-wit: That it be, and it is hereby ordered,

A BILL.

1 An Act to provide for the necessary _____ of the State government, incurred
2 or to be incurred, and now unprovided for, until the first day of July, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following sum, or so much thereof as may
3 be necessary, be and the same is hereby appropriated, for the purposes herein
4 specified, to meet the necessary expenses of the State government, incurred or
5 to be incurred, and now unprovided for, until the first day of July, 1887. For the
6 purchase or contract as required by law, and other necessary expenses con-
7 nected therewith, of printing paper and stationery, for the use of the General
8 Assembly, and the executive departments, the sum of ten thousand dollars
9 (\$10,000), payable on bills of particulars certified to by the Board of
10 Commissioners of State contracts, approved by the Governor.

1 Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant upon the Treasurer for the sum hereby appropriated, upon
3 presentation of proper vouchers, and the State Treasurer shall pay the same
4 out of moneys in the treasury, to be so appropriated.

1 Sec. 3. Whenever the above appropriation is necessary for the transaction of
2 business of the State, or for any emergency, and if this act shall be
3 collected and paid in full.



1. Received from the House February 10, 1887.
2. First reading February 21, 1887, ordered referred to the Committee on Appropriations.
3. Reported back February 24, 1887, with recommendation to pass. Ordered to a second reading.

A BILL

For An Act to provide for the necessary expenses of the State Government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated for the purposes hereinafter specified to meet the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887:

First—The sum of twenty-five thousand dollars (\$25,000) for public printing, to be paid according to the contract for public printing, upon the certificate of the Board of Commissioners of State contracts, and approved by the Governor.

Second—The sum of ten thousand dollars (\$10,000) for public binding, to be paid according to the contract for public binding, upon the certificate of the Board of Commissioners of State contracts, and approved by the Governor.

Third—The sum of five thousand dollars (\$5,000) for heating, fuel, pay of engineers and firemen of the State House, and other incidental expenses thereof, to be paid upon bills of particulars, certified by the Secretary of State and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant on the Treasurer for the sums herein appropriated,
3 upon presentation of proper vouchers, and the State Treasurer shall pay
4 the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas the above appropriations are necessary for the transaction
2 of the business of the State, therefore an emergency exists, and this act
3 shall take effect from and after its passage.

1. Introduced by Mr. McGrath, January 21, 1887, and ordered to first reading.
 2. First reading January 21, 1887, and referred to Committee on Labor and Manufactures.
 3. Reported back February 2, 1887, and ordered printed for information.
-

A BILL

For An Act to amend section one and twenty-nine of an act entitled "An Act to revise the law in relations to Liens." Approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one of an act entitled "An Act to revise the law in relation to liens," be amended to read as follows:*

"Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any person who shall by contract express or implied, or partly express and partly implied, with the owner of any lot or piece of land, furnish labor, materials or services as an architect or superintendent, in building, altering or ornamenting any house or other building or appurtenance thereto, on such lot or upon any street or alley, and connected with such building or appurtenance, shall have a lien upon the whole of such tract of land or lot, and upon such house or building or appurtenance, for the amount due to him for such labor, material or services. And any person who shall by contract express or implied, or partly express and partly implied, with the owner of any lot or tract of land, shall have a lien upon the whole of such lot or tract of land for the amount due to him for such labor, material or services.*"

17 And that section twenty-nine of said act be amended to read as follows:

18 "Section 29. Every sub-contractor, mechanic, workman, or other person,
19 who shall hereafter in pursuance of the purposes of the original contract
20 between the owner of any lot or piece of ground, or his agent and the
21 original contractor, perform any labor or furnish any materials in building,
22 altering, repairing, beautifying or ornamenting any house or other building
23 or appurtenance thereto, on such lot or on any street or alley, and connected
24 with such building or appurtenance, shall have a lien for the value of such
25 labor and materials upon such house or building and appurtenances and upon
26 the lot or land upon which the same stands, to the extent of the right, title
27 and interest of such owner at the time of making the original contract for
28 such house or improvement. And every such sub-contractor, workman or
29 other person who shall hereafter in pursuance of the purposes of the original
30 contract between the owner of any lot or tract of land, or his agent, and the
31 original contractor, perform any labor or furnish any materials in tiling or
32 draining such lot or tract of land so drained or tiled; but the aggregate of
33 all the liens hereby authorized shall not exceed the price stipulated in the
34 original contract between such owner and the original contractor for such
35 improvement. In no case shall the owner be compelled to pay a greater sum
36 for it on account of such house, building or other improvement, than the
37 price or sum stipulated in the original contract or agreement: *Provided*, if
38 it shall appear to the court that the owner and contractor fraudulently
39 and for the purpose of defrauding sub-contractors, fixed an unreasonably low
40 price in their original contract for the erection or reparation of such building,
41 or the tiling or draining of such land, then the court shall ascertain how
42 much of a difference exists between a fair price for the labor and material
43 used in said building or other improvements and the sum named in said
44 original contract, said difference shall be considered a part of the contract and
45 be subject to a lien, but in no case shall the original contractor's time or
46 profits be secured by this lien only so far as the sum named in the original
47 contract or agreement."

1. Introduced by Mr. Funk, January 21, 1887, and ordered to first reading.
2. First reading January 21, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back March 4, 1887, passage recommended and referred to Committee on Appropriations.
4. Reported back March 30, 1887, passage recommended and ordered to a second reading.

A BILL

For An Act to make an appropriation for the ordinary and other expenses of the Illinois State Normal University, at Normal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That there be, and hereby is, appropriated to the
3 State Normal University, in addition to one-half of the interest of the college
4 and seminary funds, which is hereby appropriated, the further sum of twenty-
5 one thousand dollars per annum, payable quarterly in advance, for the pay-
6 ment of salaries, for the purchase of fuel, for additions to the library, for
7 school apparatus, for furniture, for expenses of the Board of Education and
8 for incidental expenses; *Provided,* that the expenses of model school con-
9 nected with and forming a part of the said State Normal University, shall
10 be paid out of the receipts for tuition of pupils in said school, and not from the
11 above appropriation or any part thereof.

§ 2. The Auditor of Public Accounts is hereby authorized and required to
2 draw his warrant upon the Treasurer for the aforesaid sums of money upon
3 the order of the Board of Education of the State of Illinois, signed by the
4 president and attested by the secretary of said board with corporate seal of
5 said institution; *Provided,* that satisfactory vouchers in detail, approved by

6 the Governor, shall be filed quarterly with the Auditor of Public Accounts
7 for the expenditures, ordinary and extraordinary, of the preceding quarter,
8 and that no part of the money herein appropriated shall be due and payable
9 until such vouchers shall have been filed.

1. Introduced by Mr. Berggren, January 21, 1887.
2. First reading January 21, 1887, and referred to Committee on Judicial Department.
3. Reported back February 4, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections one (1), three (3) and four (4), of division xii, of an act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections one (1), three (3) and four (4), of
3 division xii, of an act entitled "An Act to revise the law in relation to criminal
4 jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same
5 are hereby amended so as to read as follows:

6 "Section 1. When an indictment is found as a true bill, if the offense is
7 bailable, the court shall make an order fixing the amount of bail to be required
8 of the accused."

9 "Section 3. When the offense is bailable, the clerk shall indorse on the
10 process the amount of bail required by the order of the court, and if the court
11 orders the process returnable forthwith, the capias shall require the accused to
12 be arrested and brought immediately into court."

13 "Section 4. The sheriff, or in case of his absence or inability, the coroner,
14 or some one of the constables of the county to which the capias is directed,
15 shall arrest the person named in the warrant, and if the offense is bailable,
16 and the writ is not returnable forthwith, let him to bail if sufficient bail is offered,
17 or if the offense is not bailable, or sufficient bail not offered, take his body to
18 the jail of the county where the capias is returnable, and deliver him, together

19 with the capias, to the keeper of the jail, there to remain until discharged in
20 due course of law. If the process is returnable forthwith, the accused shall be
21 immediately brought into court, when he shall either be committed, bailed or
22 tried, as the court may direct, but if the court shall not be in session when the
23 officer makes the arrest, so that the accused may be let to bail in open court,
24 such officer may let him to bail conditional for his appearance on the day to
25 which the court stands adjourned, if sufficient bail is offered. The sheriff or
26 other officer taking such bail shall be authorised and required to administer
27 oaths for the purpose of ascertaining the sufficiency of the bail offered.

- 1 Introduced by Mr. Curtiss, January 21, 1887, and ordered to first reading.
- 2 First reading January 21, 1887, rules suspended, and ordered to second reading and to be printed.

A BILL

For An Act to provide for the incidental expenses of the Thirty-fifth General Assembly, and for the care and custody of the State House and grounds, incurred or to be incurred, and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Thirty-fifth General Assembly, or either branch thereof, or by the Secretary of State in the discharge of the duties imposed on him by law, or by the direction of the General Assembly, or either branch thereof. All expenditures to be certified to by the Secretary of State and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified, upon presentation of the proper vouchers, and the State Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the expenses incurred, or to be incurred, for the transaction of the business of the State and the General Assembly, therefore an emergency exists, and this Act shall take effect from and after its passage.

1. Reported to Senate June 9, 1887.
2. Read first time and ordered to second reading June 13, 1887.

A BILL

For An Act making an appropriation for erecting a detached building to the Illinois Southern Hospital for the Insane, at Anna, and for heating, furnishing and completing the same.

§ 1. *Be it enacted by the People of the State of Illinois,*

2 *in the General Assembly,* That for the purpose of erecting an additional

3 building to the Illinois Southern Hospital for the Insane, the sum of one

4 hundred and sixty thousand dollars (\$160,000) is hereby appropriated out of

5 any money in the State Treasury not otherwise appropriated. The amount

6 herein named shall be for the erection of a good and substantial brick build-

7 ing for the proper accommodation of four hundred patients, with the neces-

8 sary officers, attendants and employes for their care, piping the same for gas,

9 water and steam, erecting a suitable boiler house, and procuring boilers,

10 providing laundry, kitchen and cooking fixtures, together with all necessary

11 purchase of land for additional water supply, and furniture for completing the

12 building for occupancy by patients.

§ 2. The superintendent of said hospital, under the direction of the board

2 of trustees, shall procure plans, and shall have general charge and supervision

3 of the work of constructing and finishing this addition.

§ The Auditor of Public Accounts is hereby authorized and directed to

2 draw his warrant upon the Treasurer, upon the order of the board of trustees,

3 signed by the president of said board and attested by the secretary, with the

4 corporate seal of the institution thereto affixed, subject to the limitations

5 contained in sections eighteen, nineteen and twenty of an act entitled "An
6 Act to regulate the State charitable institutions and the reform school, and
7 to improve their organization and increase their efficiency," approved April
8 15, 1875.

6 from active service, and order and direct that he be paid from said fund
 7 a yearly pension, not exceeding one-half the amount of the salary attached
 8 to the rank which he may have held on said police force, for one year
 9 next preceding such retirement. *Provided*, that whenever such disability
 10 shall cease, such pension shall cease.

§ 5. No person shall be retired as provided in the next preceding section,
 2 or receive any benefit from said fund, unless there shall be filed with said
 3 board certificates of his disability, which certificates shall be subscribed
 4 and sworn to by said person, and by the police surgeon, if there be one,
 5 and two practicing physicians of such city, village or town, and such
 6 board may require other evidence of disability before ordering such retire-
 7 ment and payment as aforesaid.

§ 6. Whenever any member of the police force of such city, village or
 2 town shall lose his life while in the performance of his duty, or receive
 3 injuries from which he shall thereafter die, leaving a widow, or child or
 4 children, under the age of sixteen years, then upon satisfactory proof of
 5 such facts made to it, such board shall order and direct that a yearly
 6 pension, equal to one-half the amount of the salary attached to the rank
 7 which such member held on said police force at the time of his death, shall
 8 be paid to such widow during her life, or if no widow, then to such child or
 9 children, until they shall be sixteen years of age; *Provided*, if such widow
 10 or child or children shall marry, then such persons so marrying shall there-
 11 after receive no further pension from said fund. Whenever any member of
 12 the police force shall die, after ten years' service therein, and while still in
 13 the service of such city, village or town as such policeman, leaving a widow,
 14 or child or children under the age of sixteen years, then upon satisfactory
 15 proof of such facts made to it, said board may order and direct that such
 16 pension as said board may deem proper, not exceeding one-half the amount
 17 of the salary attached to the rank which he held at the time of his death,
 18 shall be paid to such widow, or if there be no widow, then to such child or
 19 children, until they shall be sixteen years of age; said pension to cease upon
 20 marriage, as provided above.

§ 7. Any person retired for disability, under this act, may be summoned
 2 to appear before the board herein provided for, at any time thereafter, and
 3 shall submit himself thereto for examination as to his fitness for duty, and
 4 shall abide the decision and order of such board with reference thereto. And
 5 all members of the police force who may be retired under the provisions of
 6 this act, except those who voluntarily retire after twenty years' service, shall
 7 report to the chief of police of the city, village or town where so retired, on
 8 the second Tuesday of each and every month, and in cases of emergency may
 9 be assigned to, and shall perform such duty as said chief of police may direct,
 10 and such persons shall have no claim against the city, village or town for
 11 payment for such duty so performed.

§ 8. Whenever any person who shall have received any benefit from said
 2 fund shall be convicted of any crime or misdemeanor, or shall become an
 3 habitual drunkard, or shall become a non-resident of this State, or shall fail
 4 to report himself for examination for duty as required herein, unless excused
 5 by the board, or shall disobey the requirements of said board under this act
 6 in respect to said examination or duty, then such board shall order that such
 7 pension allowance as may have been granted to such person, shall immediately
 8 cease and determine, and such person shall receive no further pension
 9 allowance or benefit under this act.

§ 9. The board herein provided for shall hold quarterly meetings on the
 2 second Tuesdays of April, July, October and January, of each year, and upon
 3 the call of its president, it shall select from its members a president and sec-
 4 retary, who shall hold such respective positions until their successors are
 5 elected; it shall issue certificates, signed by its president and secretary, to the
 6 persons entitled thereto, of the amount of money ordered paid to such persons
 7 from such fund by said board, which certificates shall state for what purpose
 8 such payment is to be made; it shall keep a record of all its proceedings,
 9 which record shall be a public record; it shall, on the Tuesday named above,
 10 or at each quarterly meeting, send to the treasurer of its city, village or
 11 town, and to the comptroller or city, village or town clerk, a written or

12 printed list of all persons entitled to payments, from the fund herein provided
 13 for, stating the amount of such payments, and for what granted, as ordered by
 14 such board, which list shall be certified and signed by the president and secre-
 15 tary of such board, and by the secretary thereof, attested under oath. A majority
 16 of all the members of said board shall constitute a quorum and have power to
 17 transact business: *Provided*, that no resolution shall be passed, or order made
 18 by such board, for the payment of money, unless by the affirmative vote of a
 19 majority of all the members thereof.

§ 10. The board herein provided for, shall in addition to other powers
 2 herein granted, have power:

3 *First*—To compel witnesses to attend and testify before it, upon all matters
 4 connected with the operations of this act, in the same manner as is or may
 5 be provided by law for the taking of testimony before masters in chancery,
 6 and its president or any member of said board may administer oaths to such
 7 witnesses.

8 *Second*—To appoint a clerk and define his duties.

9 *Third*—To provide for the payment from said fund of all its necessary ex-
 10 penses, including clerk hire, printing, and witness fees: *Provided*, that no
 11 compensation or emolument shall be paid to any member of said board for
 12 any duty required or performed under this act.

13 *Fourth*—To make all needful rules and regulations for its guidance in con-
 14 formity with the provisions of this act.

§ 11. On the third Tuesday of April of each year, the treasurer of every
 2 such city, village or town shall make a sworn report to the board herein
 3 provided for, and to the mayor and city council of such city, or the president
 4 of, and the board of trustees of such city, village or town, of all moneys
 5 received and paid out by him on account of said fund, during the previous
 6 year, and of the amount of said fund then in his hands; and all surplus of said
 7 fund then remaining in his hands, exceeding the average amount per year
 8 paid out by him on account of said fund, during the *three years next preceding*,
 9 shall be by him transferred to, and shall become a part of, the funds of every
 10 such city, village or town, and no longer under the control of said board, or

11 subject to its order; and whenever this act shall take effect in any such city,
 12 village or town, the treasurer thereof shall give a new bond, the same as now
 13 is or hereafter may be required by law, which new bond when so given, and
 14 the sureties thereon, shall be for the security of such fund, the same as other
 15 funds belonging to any such city, village or town. Payments provided for in
 16 this act shall be made by such treasurer quarterly, upon proper vouchers.

§ 12. All members of the police force, and any widow or child or children
 2 of such members, of any such city, village or town, who upon the taking effect
 3 of this act shall be entitled to receive any benefit under an act entitled, "An
 4 act to amend an act for the relief of disabled members of the Police and Fire
 5 Departments in cities and villages," approved May 24, 1877, in force July 1,
 6 1877, approved May 10, 1879, in force July 1, 1879, shall receive no payments
 7 or benefits under said act, but shall in lieu thereof be entitled to the benefits
 8 provided for in this act. But if at any time there shall not be sufficient
 9 moneys belonging to such fund to pay the allowances of such board to its ben-
 10 eficiaries, then they shall be paid pro rata from such fund, but no allowance
 11 or order of such board shall be held to create any liability against any such
 12 city, village or town, except upon the fund so set apart as aforesaid, for the
 13 payment thereof.

AMENDMENTS TO SENATE BILL NO. 102, RECOMMENDED BY COM- MITTEE ON MUNICIPALITIES

Amend section 1, by striking out in the 4th line the words "twenty five,"
 2 and inserting the word "fifty."

3 Amend paragraph 9 of section 1, by striking out in the first line of said
 4 paragraph the words "dollar per month," and inserting the words "per
 5 centum," and in the second line by striking out the word "pay," and insert-
 6 ing the word "salary;" and by adding to said section the words: "provided no
 7 such member shall be compelled to pay more than two dollars per month
 8 from his salary."

9 Amend section 2, by striking out all after the figure "2," and insert the
10 following:

11 "The President of the Board of Trustees, the Comptroller, the city, village
12 or town Clerk, the Superintendent, or chief officer, or in his absence or
13 inability to act, then the officer next in authority to him of the Police
14 Department, the city, village or town Treasurer and the city, village or town
15 Attorney, of any such city, village or town, shall ex-officio be and constitute
16 a Board of Commissioners, to provide for the disbursement of said fund or
17 funds, and designate the beneficiaries thereof as herein directed, which Board
18 shall be known as the Board of Police Pension Fund Commissioners of such
19 city, village or town."

20 Amend section 3, by striking out all after the figure "3," and insert the
21 following:

22 "Whenever any person, at the taking effect of this act, or thereafter, shall
23 have been duly appointed and sworn, and have served for the period of
24 twenty years or more, upon the regularly constituted police force of any such
25 city, village or town of this State, which now is or hereafter may be subject to
26 the provisions of this act, said Board shall order and direct that such person
27 shall after becoming fifty years of age and his services upon such police force
28 shall have ceased, be paid from such fund, a yearly pension, equal to one
29 half the amount of the salary attached to the rank which he may have held
30 on said police force for one year next preceeding the expiration of said term
31 of twenty years."

32 Amend section 4, by striking out of the third line the words "as mentally
33 incapacitated or," and by inserting in the same line after the word "while,"
34 the word "and."

35 Amend section 9, by adding to the same after the last word thereof, the
36 words, "and that no pension or allowance provided for in this act shall exceed
37 the sum of one thousand dollars per year."



1. Introduced by Mr. Evans, January 21, 1887, and ordered to first reading.
2. First reading January 21, 1887, and referred to Committee on Municipalities.
3. Reported back February 25, 1887, with amendments, passage recommended and ordered to second reading.
4. Second reading March 9, 1887, amended, and ordered to third reading.

A BILL

For An Act to provide for the setting apart, formation and disbursement of a police pension fund, in cities, villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in each city, village, or incorporated town
3 in this State, having a population of fifty thousand inhabitants or more,
4 there shall be paid to the treasurer thereof, and by him and the comp-
5 troller (if there be one), set apart, the following moneys, to constitute a
6 Police Pension Fund, viz:

7 *First*—Two per centum of all moneys received from licenses for the
8 keeping of saloons or dram shops.

9 *Second*—Three-fourths of all moneys received for taxes or from licenses
10 upon dogs.

11 *Third*—All moneys received from fines imposed upon members of the
12 police force of said city, village, or town, for violation of the rules and
13 regulations of the police department.

14 *Fourth*—All proceeds of sales of unclaimed stolen property.

15 *Fifth*—One-fourth of all moneys received from licenses granted to pawn-
16 brokers, second-hand dealers and junk stores.

17 *Sixth*—All moneys received as fees and from fines for carrying concealed
18 weapons.

19 *Seventh*—One-half of all costs collected in money for violations of city
20 ordinances.

21 *Eighth*—All rewards given or paid to members of such police force, except
22 such as shall be excepted by the chief officer of police.

23 *Ninth*—One per centum per month, which shall be paid by, or deducted from
24 the salary of, each and every member of the police force of such city, vil-
25 lage or town: *Provided*, no such member shall be compelled to pay more
26 than two dollars per month from his salary.

§ 2. The president of the board of trustees, the comptroller, the city, village
2 or town clerk, the superintendent or chief officer, or in his absence or
3 inability to act, then the officer next in authority to him of the police depart-
4 ment, the city, village, or town treasurer, and the city, village or town attor-
5 ney of any such city, village or town, shall ex-officio be and constitute a board
6 of commissioners, to provide for the disbursement of said fund or funds, and
7 designate the beneficiaries thereof as herein directed, which board shall be
8 known as the Board of Police Pension Fund Commissioners of such city,
9 village or town.

§ 3. Whenever any person, at the time of the taking effect of this act,
2 or thereafter, shall have been duly appointed and sworn, and have served
3 for the period of twenty years or more, upon the regularly constituted
4 police force of any such city, village or town of this State, which now
5 is, or hereafter may be, subject to the provisions of this act, said board
6 shall order and direct that such person shall, after becoming fifty years of
7 age and his service upon such police force shall have ceased, be paid from
8 such fund, a yearly pension equal to one-half the amount of the salary
9 attached to the rank which he may have held on said police force for one
10 year next preceding the expiration of said term of twenty years.

§ 4. Whenever any person, while serving as a policeman in any such
2 city, village or town, shall become physically disabled while in, and in conse-
3 quence of, the performance of his duty as such policeman, said board shall,
4 upon his written request, or without such request, if it deem it for the

5 good of said police force, retire such person from active service and order and
 6 direct that he be paid from said fund a yearly pension, not exceeding one-
 7 half the amount of the salary attached to the rank which he may have held
 8 on said police force for one year next preceding such retirement: *Pro-*
 9 *vided*, that whenever such disability shall cease such pension shall cease.

§ 5. No person shall be retired as provided in the next preceding section,
 2 or receive any benefit from said fund, unless there shall be filed with said
 3 board certificates of his disability, which certificates shall be subscribed
 4 and sworn to by said person, and by the police surgeon, (if there be one)
 5 and two practicing physicians of such city, village, or town, and such
 6 board may require other evidence of disability before ordering such retire-
 7 ment and payment as aforesaid.

§ 6. Whenever any member of the police force of such city, village or
 2 town shall lose his life while in the performance of his duty, or receive
 3 injuries from which he shall thereafter die, leaving a widow or child or
 4 children under the age of sixteen years, then upon satisfactory proof of
 5 such facts made to it, such board shall order and direct that a yearly
 6 pension, equal to one-half the amount of the salary attached to the rank
 7 which such member held on said police force at the time of his death, shall
 8 be paid to such widow during her life, or if no widow, then to such child or
 9 children, until they shall be sixteen years of age: *Provided*, if such widow
 10 or child, or children, shall marry then such persons so marrying shall there-
 11 after receive no further pension from such fund. Whenever any member of
 12 the police force shall die, after ten years' service therein, and while still in
 13 the service of such city, village or town, as such policeman, leaving a widow,
 14 or child or children under the age of sixteen years, then upon satisfactory
 15 proof of such facts made to it, said board may order and direct that such
 16 pension as said board may deem proper, not exceeding one-half the amount
 17 of the salary attached to the rank which he held at the time of his death,
 18 shall be paid to such widow, or if there be no widow, then to such child or
 19 children, until they shall be sixteen years of age, said pension to cease upon
 20 marriage, as provided above.

§ 7. Any person ~~retured~~ for disability under this act, may be summoned
 2 to appear before the board herein provided for, at any time thereafter, and
 3 shall submit himself thereto for examination as to his fitness for duty, and
 4 shall abide the decision and order of such board with reference thereto. And
 5 all members of the police force who may be retired under the provisions of
 6 this act, except those who voluntarily retire after twenty years' service shall
 7 report to the chief of police of the city, village or town where so retired, on
 8 the second Tuesday of each and every month, and in cases of emergency may
 9 be assigned to, and shall perform such duty as said chief of police may direct,
 10 and such persons shall have no claim against the city, village or town for
 11 payment for such duty so performed.

§ 8. Whenever any person who shall have received any benefit from said
 2 fund shall be convicted of any crime or misdemeanor, or shall become an
 3 habitual drunkard, or shall become a non-resident of this State, or shall fail
 4 to report himself for examination for duty as required herein, unless excused
 5 by the board, or shall disobey the requirements of said board under this act,
 6 in respect to said examination or duty, then such board shall order that such
 7 pension allowance as may have been granted to such person shall immedi-
 8 ately cease and determine, and such person shall receive no further pension,
 9 allowance or benefit, under this act.

§ 9. The board herein provided for shall hold quarterly meetings on the
 2 second Tuesdays of April, July, October and January of each year, and upon
 3 the call of its president; it shall select from its members a president and sec-
 4 retary, who shall hold such respective positions until their successors are
 5 elected; it shall issue certificates, signed by its president and secretary, to the
 6 persons entitled thereto, of the amount of money ordered paid to such persons
 7 from such fund by said board, which certificates shall state for what purpose
 8 such payment is to be made; it shall keep a record of all its proceedings,
 9 which record shall be a public record; it shall on the Tuesday named above,
 10 or at each quarterly meeting, send to the treasurer of its city, village or
 11 town, and to the comptroller or city, village or town clerk, a written or

12 printed list of all persons entitled to payments, from the fund herein provided
 13 for, stating the amount of such payments and for what granted, as ordered by
 14 such board, which list shall be certified and signed by the president and secre-
 15 tary of such board, and by the secretary thereof, attested under oath. A majority
 16 of all the members of said board shall constitute a quorum, and have power to
 17 transact business: *Provided*, that no resolution shall be passed, or order made,
 18 by such board, for the payment of money, unless by the affirmative vote of a
 19 majority of all the members thereof.

§ 10. The board herein provided for shall, in addition to other powers
 2 herein granted, have power:

3 *First*—To compel witnesses to attend and testify before it, upon all matters
 4 connected with the operation of this act, in the same manner as is or may
 5 be provided by law for the taking of testimony before masters in chancery,
 6 and its president, or any member of said board, may administer oaths to such
 7 witnesses.

8 *Second*—To appoint a clerk and define his duties.

9 *Third*—To provide for the payment from said fund of all its necessary ex-
 10 penses, including clerk hire, printing, and witness fees: *Provided*, that no
 11 compensation or emolument shall be paid to any member of said board for
 12 any duty required or performed under this act.

13 *Fourth*—To make all needful rules and regulations for its guidance in con-
 14 formity with the provisions of this act.

§ 11. On the third Tuesday of April of each year the treasurer of every
 2 such city, village or town shall make a sworn report to the board herein
 3 provided for, and to the mayor and city council of such city, or the president
 4 of, and the board of trustees of such city, village or town, of all moneys
 5 received and paid out by him on account of said fund, during the previous
 6 year, and of the amount of said fund then in his hands; and all surplus of said
 7 fund then remaining in his hands, exceeding the average amount per year
 8 paid out by him on account of said fund, during the three years next preceding,
 9 shall be by him transferred to, and become a part of the funds of every

10 such city, village or town, and no longer under the control of said board or
11 subject to its order; and whenever this act shall take effect in any such city,
12 village or town, the treasurer thereof shall give a new bond the same as now
13 is, or hereafter may be, required by law, which new bond, when so given and
14 the sureties thereon, shall be for the security of such fund, the same as other
15 funds belonging to any such city, village or town. Payments provided for in
16 this act shall be made by such treasurer quarterly, upon proper vouchers.

§ 12 All members of the police force, and any widow or child or children
2 of such members of any such city, village or town, who, upon the taking
3 effect of this act shall be entitled to receive any benefit under an act
4 entitled "An act to amend an act for the relief of disabled members of
5 the Police and Fire Departments in cities and villages," approved May
6 24, 1877, in force July 1, 1877, as amended by act approved May 10,
7 1879, in force July 1, 1879, shall receive no payments or benefits under
8 said act, but shall in lieu thereof be entitled to the benefits provided for
9 in this act. But if at any time there shall not be sufficient moneys
10 belonging to such fund to pay the allowances of such board to its ben-
11 eficiaries, then they shall be paid *pro-rata* from such fund, but no allowance
12 or order of such board shall be held to create any liability against any
13 such city, village or town, except upon the fund so set apart as aforesaid
14 for the payment thereof.

1. Received from House, April 1, 1887, and ordered to first reading.
2. First reading May 2, 1887, and referred to Committee on Judiciary.
3. Reported back May 19, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section thirty-four of an act entitled "An act concerning insolvent debtors," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section thirty-four of an act entitled "An
3 act concerning insolvent debtors," approved April 10, 1872, in force July 1,
4 1872, be and the same is hereby amended so as to read as follows:
5 "Section 34. In any case where the defendant arrested upon final process
6 shall not be entitled to relief under the provisions of this act, if the
7 plaintiff will advance the jail fees and board in manner hereinbefore pro-
8 vided, the defendant may be imprisoned at \$1.50 per day, until the judgment
9 shall be satisfied, and the officer making the arrest shall endorse the
10 execution 'satisfied in full by imprisonment': *Provided*, that no person
11 heretofore or hereafter imprisoned under the provisions of this act, shall
12 be imprisoned for a longer period than six months from the date of arrest;
13 and all persons imprisoned under the provisions of this act for the period
14 of six months or more at the time this act takes effect, shall thereupon be
15 immediately discharged: *Provided, however*, that no person shall be released
16 from imprisonment under this act who neglects or refuses to schedule in
17 manner and form as provided by this act."

1. Received from House April 1, 1887, and ordered to first reading.
2. First reading April 9, 1887, and ordered to second reading without reference.

A BILL

For An Act to transfer the balance to the credit of the "Delinquent Land Tax Fund" to the credit of the "Revenue Fund."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the unexpended balance of three hundred and
3 thirty-one dollars and six cents (\$331.06) now in the State Treasury to the
4 credit of the "Delinquent Tax Fund" be transferred on the warrant of the
5 Auditor of Public Accounts to the "General Revenue Fund," and the Auditor of
6 Public Accounts is hereby required to draw his warrant on the State Treasurer
7 for the sum of three hundred and thirty-one dollars and six cents to make said
8 transfer.

1. Introduced by Mr. Beil, January 24, 1887, and ordered to first reading.
2. First reading January 24, 1887, and referred to Committee on Judiciary.
3. Reported back February 9, 1887, and ordered that 200 copies be printed for use of the Committee on Judiciary.

A BILL

For "An Act to provide in what manner and to what extent aliens may hold real estate, and to repeal an act therein named."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That all aliens may take, by deed, will or other-
3 wise, lands and tenements or any interest therein, (except land used for agri-
4 cultural, horticultural, dairy or stock-raising purposes or unoccupied lands)
5 and alienate, sell, assign and transmit the same to their heirs, or any other
6 person, whether such heirs or other persons be citizens of the United States
7 or not, in the same manner as natural born citizens of the United States or
8 of this State might do, and upon the decease of any alien having title to, or
9 interest in any lands or tenements, such lands and tenements shall pass and
10 descend in the same manner as if such alien were a citizen of the United
11 States, and shall have the same rights and remedies as native born citizens
12 and actual residents of the United States.

§ 2. The personal estate of an alien dying intestate shall be distributed
2 in the same manner as the estates of natural born citizens, and all persons
3 interested in such estate shall be entitled to proper distributive shares thereof
4 under the laws of this State, whether they are aliens or not.

§ 3. Any alien may take by deed, will or otherwise lands used for agricul-
2 tural, horticultural, dairy or stock-raising purposes, or unoccupied lands, or
3 any interest therein in this State, and shall be entitled to all the privileges

4 of section one of this act, whenever he shall in accordance with the naturali-
5 zation laws of the United States, declare his intention to become a citizen of
6 the United States subject to the provision of the next following section.

§ 4. Any alien now owning lands for agricultural, horticultural, dairy or
2 stock-raising purposes, or unoccupied lands, or any interest therein, who shall
3 not declare his intentions of becoming a citizen of the United States within
4 one year from the time this law shall be in effect, or any alien who may at
5 any time after this law shall be in effect shall become the owner of, or have
6 any interest in any of such lands by deed, will or otherwise, and by virtue
7 of declaring his intentions to become a citizen of the United States, and shall
8 not take out his final naturalization papers within one year from the time he
9 would be entitled to the same through a continuous residence of the United
10 States from the time of declaring his intentions to become a citizen added
11 to the time of his residence in the United States previous to declaring
12 such intentions, he shall be deemed guilty of holding such lands or such
13 interest therein in violation of the law and police policy of this State,
14 and it shall then be the duty of the State's Attorney to proceed by informa-
15 tion, in the name of the people of the State of Illinois, against such
16 alien, in the Circuit Court of the county within which such land so held
17 shall be situated and summons shall issue, and service shall be had, whether
18 by copy of summons or by publication the same as in chancery cases, as
19 the case may require, and such court shall have jurisdiction to hear and
20 determine the fact and to order the sale of such lands or interest therein
21 by such attorney at such time and place, subject to such rules as the
22 court may establish.

§ 5. The court shall tax as fees of the State's Attorney such sums as
2 shall be reasonable, and such State's Attorney shall pay over the proceeds
3 of such sale, after deducting the said fees and costs of proceedings to such
4 alien.

§ 6. No sale of any lands or interest therein held in violation of this act
2 by any alien to any person entitled to own such land by virtue of this act,

and of the laws of the State, shall be invalidated by such illegal holding of the alien conveying.

§ 7. An Act to amend chapter four (4) revised laws, entitled aliens, approved February 17, 1851, in force February 17, 1851, and all acts and parts of acts inconsistent with this act are hereby repealed.

1. Introduced by Mr. Crawford January 24, 1887, and ordered to first reading.
2. First reading January 24, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, with amendment, passage recommended and ordered to second reading

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to recorders," approved March 9, 1874

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That an act entitled "An act to revise the law in relation to recorders," approved March 9, 1874, be amended by adding thereto the following section:

"Section 21. All records, indices, abstract and other books kept in the office of any recorder and all instruments filed for record therein shall at all times be open for public inspection and examination, and all persons shall have free access for inspection and examination to such records, indices, books and instruments, which the recorders shall be bound to exhibit to those who wish to inspect or examine the same, and all persons shall have the right to take memoranda and abstracts thereof without fee or reward.

AMENDMENTS TO SENATE BILL No. 108, RECOMMENDED BY COMMITTEE ON JUDICIARY.

In line three (3), section 21, erase the words "at all times" and insert in lieu thereof the words "during office hours."

1. Introduced by Mr. Crawford, January 24, 1887, and ordered to first reading.
2. First reading January 24, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, with amendment, passage recommended and ordered to second reading.
4. Second reading March 24, 1887, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to recorders," approved March 9, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That an act entitled "An act to revise the law in relation to recorders," approved March 9, 1874, be amended by adding thereto the following section:

"Section 21. All records, indices, abstract and other books kept in the office of any recorder and all instruments filed for record therein shall during office hours be open for public inspection and examination; and all persons shall have free access for inspection and examination to such records, indices, books and instruments, which the recorders shall be bound to exhibit to those who wish to inspect or examine the same; and all persons shall have the right to take memoranda and abstracts thereof without fee or reward.

1. Introduced by Mr. Crawford, January 24, 1887, and ordered to first reading.
2. First reading January 24, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, with amendment, passage recommended and ordered to second reading.
4. Second reading March 24, 1887, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to recorders," approved March 9, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act to revise the law
3 in relation to recorders," approved March 9, 1874, be amended by adding
4 thereto the following section:

5 "Section 21. All records, indices, abstract and other books kept in the
6 office of any recorder and all instruments filed for record therein shall during
7 office hours be open for public inspection and examination; and all persons
8 shall have free access for inspection and examination to such records,
9 indices, books and instruments, which the recorders shall be bound to
10 exhibit to those who wish to inspect or examine the same; and all persons
11 shall have the right to take memoranda and abstracts thereof without fee
12 or reward.

1. Received from House April 29, 1887, and ordered to first reading.
2. First reading May 23, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 23 of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 in the General Assembly, That section twenty-three (23) of an act entitled
3 "An act in regard to evidence and depositions in civil cases," approved
4 March 29, 1872, in force July 1, 1872, be and the same is hereby amended
5 so as to read as follows:
6 "Section 23. Copies of the books and entries of the sale of all lands or
7 lots heretofore or that hereafter may be sold by this State or any of the
8 officers thereof under any law of this State, certified to be true and cor-
9 rect copies of such books and entries by the proper person or officer in
10 whose custody said books and entries may properly be, shall be prima facie
11 evidence of the facts stated in said books and entries. The certificate of
12 such officer of the purchase or issuing of a patent for any tract of land
13 sold by this State or any agent of the same shall be deemed and taken
14 as evidence of title in the party certified to have made such purchase or
15 obtained such patent, his heirs or assigns, unless a better and
16 paramount title is exhibited for the same. The patent for land shall be
17 deemed a paramount title in the patentee, his heirs and assigns, than such
18 certificate, and when any swamp and overflowed lands and lots heretofore
19 have been or hereafter may be sold under any law of this State by any

20 proper person or officer of the county in which said lands lie, copies of
21 the books and entries of the sales of such swamp and overflowed lands and
22 lots certified to be true and correct copies of such books and entries by
23 the proper person or officer in whose custody such books and entries may
24 properly be, shall be *prima facie* evidence of the facts stated in such books
25 and entries. The certificate of such officer of the sale or entry of any tract
26 or tracts of such swamp and overflowed land or lots and of the execution
27 of a deed for the same, giving the date of such sale or entry, the date
28 of the execution of the deed, the name of the purchaser and description
29 of the land, under the seal of his office, if the original deed be lost, or
30 it be out of the power of the party wishing to use the same to produce
31 it in evidence, and such original deed has never been recorded, be read in
32 evidence in place of said original deed, and shall be *prima facie* evidence
33 of the execution and delivery of a proper deed for such land and shall be
34 deemed and taken as evidence of title in the person certified to have
35 made such entry or purchase his heirs and assigns, until a better and para-
36 mount title is exhibited for the same. And whenever it shall appear that the
37 original deed made upon any entry or sale of such swamp and overflowed
38 lands is lost, or not in the power of the party wishing to use the same to
39 produce in evidence, and the same had never been recorded as aforesaid and
40 that the books and original entries of sale of such swamp and overflowed
41 lands or lots have also been lost or destroyed, and the clerk of the county
42 court or other proper officer shall have made return of such sales and entries
43 to the Auditor of Public Accounts according to law, a certified copy of such
44 return by the Auditor, under his seal of office, may be used in evidence with
45 the like force and effect as hereinbefore provided: *Provided*, that the party
46 applying to the Auditor for such certificate shall pay a fee of one dollar for
47 each certificate."

1. Introduced by Mr. Crawford, January 24, 1887, and ordered to first reading.
2. First reading January 24, 1887, and referred to Committee on Judiciary.
3. Reported back, March 23, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize recorders of deeds to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That in all counties of the third class, being counties
3 with a population exceeding seventy thousand (70,000) inhabitants, as ascer-
4 tained by the Federal census for the year 1870, in which the recorder of deeds
5 has heretofore been, or shall hereafter be required by the county board to
6 keep abstract books showing by tracts every conveyance or incumbrance
7 recorded, the date of the instrument, the time of filing the same, the book
8 and page where the same is recorded, and showing a true chain of title to
9 each tract and the incumbrances thereon, as shown by the records of his
10 office, such recorder shall, and he is hereby authorized, to keep judgment
11 dockets and indexes thereto, showing all judicial proceedings affecting title
12 to real estate in such county, tax sale books with indexes thereto, showing
13 sales or forfeitures of all lands in the county for unpaid taxes and assess-
14 ments, and such other books as are usual or necessary to be kept for the
15 purpose of making complete abstracts of title to real estate; and the county
16 board shall furnish such recorder with the necessary rooms, books, stationery,
17 fuel and lights for the purposes herein set forth.

§ 2. Every recorder of deeds keeping such books, is hereby authorized,
2 and it shall be his duty, to make and certify under the seal of his office, for

3 all persons desiring the same, abstracts of title to real estate in his county,

4 and to charge therefor not to exceed the following fees:

5 For each certificate, certifying to the condition of the title as shown by
6 such abstract, judgment and tax books, the sum of three dollars (\$3.00), said
7 sum of three dollars (\$3.00) to include the showing of one instrument of con-
8 veyance, incumbrance or release thereof, judgment or tax sale.

6 For each additional instrument of conveyance, incumbrance or release
10 thereof, the sum of one dollar (\$1.00).

11 For each additional judgment or tax sale, the sum of seventy five (75) cents.

12 For chancery and probate court proceedings necessary to be shown, one
13 dollar (\$1.00) per page.

14 Which fees shall be accounted for by such recorder in like manner with the
15 fees received by him for recording. And every such recorder shall, for his
16 services in keeping such books and making such abstracts of title, receive a
17 salary of three thousand dollars per annum, to be paid only out of the fees
18 of his office actually collected, which compensation shall be in addition to
19 the salary allowed him for his duties as recorder.

§ 3. Every such recorder shall, before making and certifying any such
2 abstracts of title, give a bond with sufficient security, to be approved by the
3 judge of the county court, payable to the people of the State of Illinois, in
4 the penal sum of twenty thousand dollars, (\$20,000), conditioned to secure the
5 accuracy and correctness of any and all such abstracts of title, and to indem-
6 nify any and all persons purchasing such abstracts from such recorder, for all
7 actual losses or damages which they may sustain by reason of any errors,
8 mistakes or omissions in any such abstracts of title, which bond shall be filed
9 in the office of the Secretary of State, and a copy thereof entered upon the
10 records of the county court.

AMENDMENTS TO SENATE BILL No. 110, PROPOSED BY THE COMMITTEE ON JUDICIARY.

Amend by striking out all after the word "counties," where it occurs
the first time in the second line of section one of the bill, and before the
word "in," in the fourth line, and inserting the following:

"Where a recorder of deeds is elected and;" and by striking out the
word "the," in the fourth line of the bill, and insert the word "said."

Amend section one by adding after the last printed words of section the
following:

Provided, That nothing in this act shall be construed to empower the
recorder to prevent the public from examining and taking memoranda from
all records and instruments filed for record, indexes, and other books in
his official custody, but it shall be his duty at all times when his office is, or
or is required by law to be, open to allow all persons, without fee, or reward,
to examine and take memoranda from the same."

Amend by inserting after the word "thereafter," and before the word "not,"
in line three (3), of section two (2), the following: "In counties of the third
class."

Amend by inserting after the word "title," and before the word "receive,"
in the sixteenth (16) line, of section 2 of the bill, the words "in counties of
the third class."

Amend by adding to section two, the following: "In counties of the second
class, he shall receive such salary, and be authorized to charge such fees as
may be fixed by the county board."

Amend the title of the bill so as to read as follows:

"A bill for an act to authorize recorders of deeds in counties where a
recorder of deeds is elected, to keep abstract books, to make abstracts of titles,
and fix the fees and compensation therefor."

1. Introduced from House, May 6, 1887, and ordered to first reading.
2. First reading, May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in all counties where a recorder of deeds
3 is elected in which said recorder of deeds has heretofore been, or shall
4 hereafter be, required by the county board to keep abstract books showing
5 by tracts every conveyance or incumbrance recorded, the date of the in-
6 strument, the time of filing the same, the book and page where the same
7 is recorded, and showing a true chain of title to each tract and the incum-
8 brances thereon, as shown by the records of his office, such recorder shall,
9 and he is hereby authorized, to keep judgment dockets and indexes thereto,
10 showing all judicial proceedings affecting title to real estate in such county,
11 tax sale books with indexes thereto, showing sales or forfeitures of all lands
12 in the county for unpaid taxes and assessments, and such other books as
13 are usual or necessary to be kept for the purpose of making complete
14 abstracts of title to real estate; and the county board shall furnish such re-
15 corder with the necessary rooms, books, stationery, fuel and lights for the
16 purposes herein set forth: *Provided,* that nothing in this act shall be con-
17 strued to empower the recorder to prevent the public from examining and
18 taking memoranda from all records and instruments filed for record, indexes
19 and other books in his official custody, but it shall be his duty at all times,
20 when his office is or is required by law to be open, to allow all persons
21 without fee or reward to examine and take memoranda from the same.

§ 2. Every recorder of deeds keeping such books, is hereby authorized,

and it shall be his duty, to make and certify under the seal of his office, for all persons desiring the same, abstracts of title to real estate in his county, and to charge therefor, in counties of the third class, not to exceed the following fees:

For each certificate, certifying to the condition of the title as shown by such abstract, judgment and tax books, the sum of three dollars (\$3.00), said sum of three dollars (\$3.00) to include the showing of one instrument of conveyance, incumbrance or release thereof, judgment or tax sale.

For each additional instrument of conveyance, incumbrance or release thereof, the sum of one dollar (\$1.00).

For each additional judgment or tax sale, the sum of seventy-five (75) cents.

For Chancery and Probate Court proceedings necessary to be shown, one dollar (\$1.00) per page. Which fees shall be accounted for by such recorder in like manner with the fees received by him from recording. And every such recorder shall, for his services in keeping such books and making such abstracts of title in counties of the third class, receive a salary of three thousand dollars per annum, to be paid only out of the fees of his office actually collected, which compensation shall be in addition to the salary allowed him for his duties as recorder; in counties of the second class he shall receive such salary and be authorized to charge such fees as may be fixed by the county board.

§ 3. Every such recorder shall, before making and certifying any such abstracts of title, give a bond with sufficient security, to be approved by the judge of the County Court, payable to the People of the State of Illinois, in the penal sum of twenty thousand dollars (\$20,000), conditioned to secure the accuracy and correctness of any and all such abstracts of title, and to indemnify any and all persons purchasing such abstracts from such recorder, for all actual losses or damages which they may sustain by reason of any errors, mistakes or omissions in any such abstracts of title, which bond shall be filed in the office of the Secretary of State, and a copy thereof entered upon the records of the County Court.

AMENDMENT ADOPTED BY SENATE MAY 24, 1887.

Amend House bill No. 110 by striking out the word "three," in line 17
2 of section 2 of the printed bill, and insert in lieu thereof the word "one."

1. Received from House April 7, 1887, and ordered to first reading.
2. First reading April 9, 1887, and ordered to second reading without reference.

A BILL

For An Act entitled "An act for the protection of Wild Game."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That it shall be unlawful for any person or persons,
3 for the period of five years from and after the passage of this act, to
4 hunt, pursue, kill, trap, net, destroy, or attempt to kill, trap, net, ensnare
5 or otherwise destroy any prairie hen or chicken, ruffed grouse (commonly
6 called partridge), pheasant or quail.

§ 2. And every person so offending, shall for each and every offense, be
2 deemed guilty of a misdemeanor, and on conviction, shall be fined in the
3 sum of not less than twenty or more than forty dollars, and costs of suit,
4 and shall stand committed in the county jail until such fine and costs are
5 paid: *Provided*, such imprisonment shall not exceed twenty days.

§ 3. No person or persons shall sell, or expose for sale, or have in his
2 or their possession for the purpose of selling, or exposing for sale any of
3 the wild fowls or birds mentioned in section 1 of this act; and any
4 persons so offending, shall, on conviction, be fined and dealt with, as
5 specified in section two of this act: *Provided*, that inhabitants of villages
6 and cities may receive and ship game from other States, and expose and
7 sell the same on the markets in said villages and cities *between the first*
8 *of October and the first of February of the following year.*

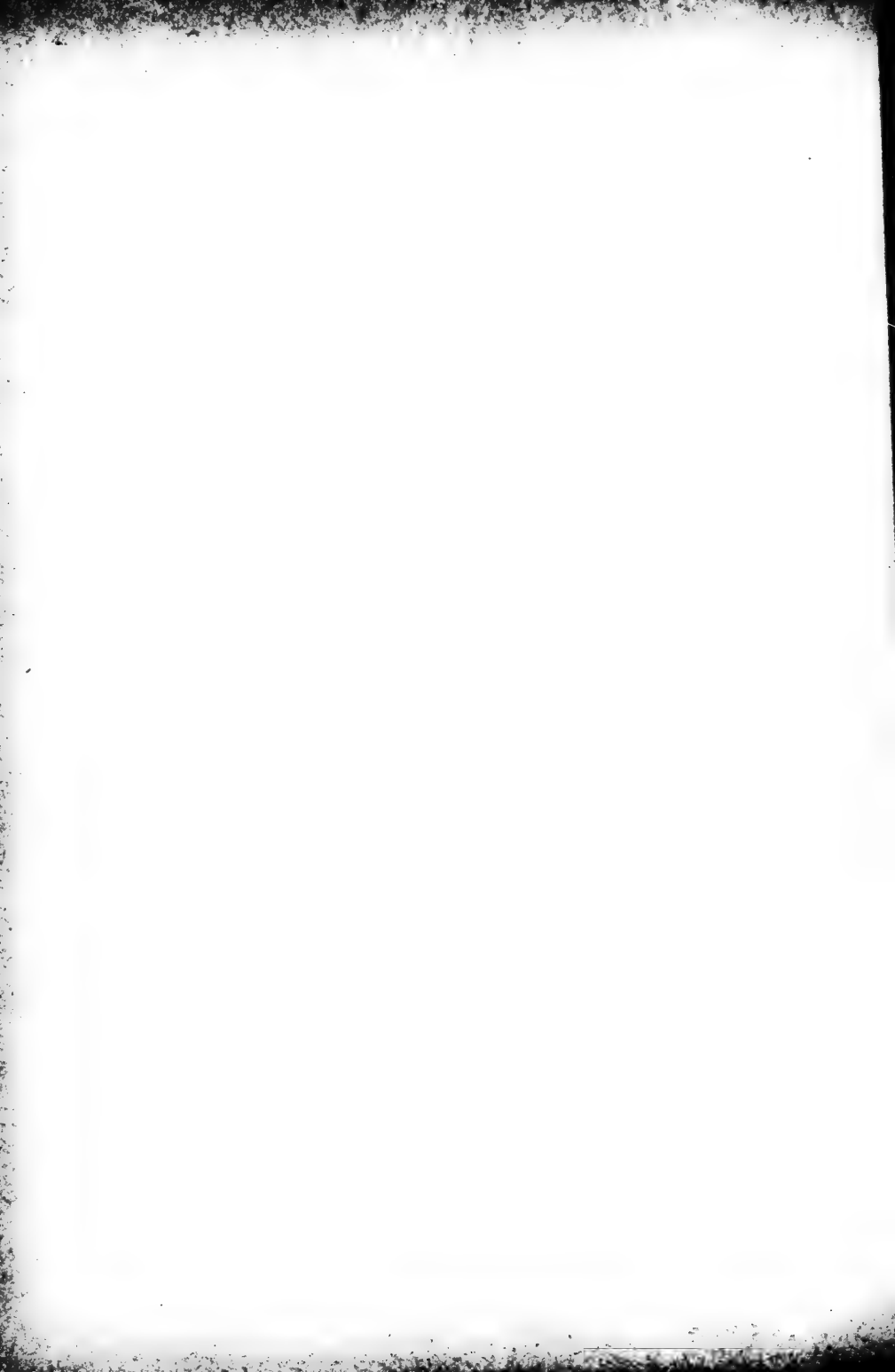
§ 4. All prosecutions under the provisions of this act shall be brought
2 by any person in the name of the people of the State of Illinois, against
3 any person or persons violating any of the provisions of this act, before any
4 justice of the peace of the county in which such violation is alleged to
5 have taken place, or before any court of competent jurisdiction; and it is
6 hereby made the duty of State's Attorneys to see that the provisions of
7 this act are enforced in their respective counties, and they shall prosecute
8 all offenders on receiving information of the violation of any of the provisions
9 of this act; and it is made the duty of sheriffs, deputy sheriffs, constables
10 and police officers, to inform against and prosecute all persons who there
11 is probable cause to believe are guilty of violating any of the provisions
12 of this act. Seventy-five per cent. of the amount recovered in any penal
13 action under the provisions of this act, shall go to the school treasurer of
14 the township in which this act shall have been violated, to be added to
15 the school fund of such township, and twenty-five per cent. of the fine to
16 the informer.

A bill for an act entitled "An act for the protection of wild game."

SENATE AMENDMENTS ADOPTED APRIL 15, 1887.

Amend by adding after the word "quail," in line 6, section 1: "*Provided,*
2 it shall not be unlawful to shoot quail between the first day of November
3 and the thirty-first day of December of each year."

4 Amend by striking out the word "five" in line 3 of printed bill, and insert-
5 ing in lieu thereof the word "two."



1. Introduced by Mr. Berggren, January 25, 1887, and ordered to first reading.
2. First reading January 25, 1887, and referred to Committee on Judicial Department.
3. Reported back February 4, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize the directors of incorporated park companies to appoint a superintendent and assistant superintendents of grounds, and vesting such superintendent and assistant superintendents with police powers while on duty, upon the park premises.

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the directors of any and all incorporated park companies, shall have the right and power to appoint a superintendent and assistant superintendents of grounds, and such superintendent and assistant superintendents shall be invested with police powers while on duty upon the premises owned, rented or controlled by such corporations for park purposes.

§ 2. When any person or persons shall, upon the premises controlled for park purposes by any such corporations, be guilty of any crime or misdemeanor, or breach of the peace, or shall commit any act to the unlawful annoyance of such incorporated park company, or of any person or persons occupying or visiting said park premises, any superintendent or assistant superintendent of grounds, appointed by virtue of section one of this act, may arrest such person or persons, either on said premises or upon fresh pursuit anywhere in the proper county, and take him or them before any

9 justice of the peace of the proper county and file affidavit setting forth
10 the offense or offenses, and prosecute such offending person or persons, and
11 such superintendents or assistant superintendents shall also have power and
12 right to eject such offending person or persons from the park premises.

1. Introduced by Mr. Berggren, January 25, 1887, and ordered to first reading.
 2. First reading January 25, 1887, and referred to Committee on Judicial Department.
 3. Reported back February 4, 1887, passage recommended, and ordered to second reading.
 4. Second reading February 24, 1887, amended and ordered to a third reading.
-

A BILL

For An Act to authorize the directors of incorporated park companies, to appoint a superintendent and assistant superintendents of grounds, and vesting such superintendent and assistant superintendents with police powers while on duty upon the park premises.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the directors of any and all incorporated park companies, shall have the right and power to appoint a superintendent and assistant superintendents of grounds, and such superintendent and assistant superintendents shall be invested with police powers while on duty upon the premises owned, rented or controlled by such corporations for park purposes.

§ 2. When any person or persons shall, upon the premises controlled for park purposes by any such corporations, be guilty of any crime or misdemeanor, or breach of the peace, or shall commit any act to the unlawful annoyance of such incorporated park company, or of any person or persons occupying or visiting said park premises, any superintendent or assistant superintendent of grounds, appointed by virtue of section one of this act, and witnessing the commission of either of said offenses, may arrest such person or persons either on said premises or upon fresh pursuit anywhere in the

9 proper county, and take him or them before any justice of the peace of the
10 proper county and file affidavit setting forth the offense or offenses, and
11 prosecute such offending person or persons, and such superintendents or
12 assistant superintendents shall also have power and right to eject such offend-
13 ing person or persons from the park premises.

1. Received from House May 14, 1887, and ordered to first reading.
 2. First reading May 23, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend section one (1) and section two (2) of an act entitled "An act to revise the law in relation to oil inspection," approved March 12, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That sections one (1) and two (2) of an act entitled*
3 *"An act to revise the law in relation to oil inspection," approved March 12,*
4 *1874, in force July 1, 1874, be and the same are amended so as to read as*
5 *follows:*

6 "Section 1. The judge of the county court of any county for townships
7 outside of incorporated cities, towns and villages, the mayor of any city,
8 with the approval of the city council and the board of trustees of any
9 village or town, may, and on the petition of any five inhabitants thereof shall,
10 appoint one or more inspectors for the inspection of coal oil, naptha, gas-
11 oline, benzine, and other mineral oils or fluids, the product of petroleum,
12 and fix their compensation, to be paid by the party requiring their services.
13 Every such inspector shall hold his office for one year, and until his
14 successor is appointed and qualified, unless sooner removed from office.
15 He may appoint deputies, for whom he shall be responsible, and who shall
16 take the same oath and be liable to the same penalties as the inspector."

17 "Section 2. Every such inspector, before entering upon the duties of his
18 office, shall take and subscribe the following oath:

19 'I do solemnly swear (or affirm, as the case may be,) that I will support
20 the constitution of the United States, and the constitution of the State of
21 Illinois, and that I will faithfully discharge the duties of the office of oil
22 inspector, according to the best of my ability.'

23 He shall also execute a bond payable to the People of the State, in such
24 sum as shall be required by the county judge, city council or board of trustees,
25 with one or more sureties, to be approved by the county judge, mayor, or
26 president of the board of trustees, conditioned for the faithful discharge of the
27 duties of his office. Any person aggrieved by the misconduct or neglect of
28 such inspector may maintain suit thereon for his own use.

§ 2. WHEREAS, There is no provision of the statute for appointment of
2 inspectors of oil for townships outside of incorporated cities, towns and
3 villages, therefore an emergency exists, and this act shall take effect and be
4 in force from and after its passage.

1. Received from House May 4, 1887, and ordered to first reading.
2. First reading May 23, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section one (1) and section two (2) of an act entitled "An act to revise the law in relation to oil inspection," approved March 12, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections one (1) and two (2) of an act entitled
3 "An act to revise the law in relation to oil inspection," approved March 12,
4 1874, in force July 1, 1874, be and the same are amended so as to read as
5 follows:

6 "Section 1. The judge of the county court of any county for townships
7 outside of incorporated cities, towns and villages, the mayor of any city,
8 with the approval of the city council and the board of trustees of any
9 village or town, may, and on the petition of any five inhabitants thereof shall,
10 appoint one or more inspectors for the inspection of coal oil, naphtha, gas-
11 oline, benzine, and other mineral oils or fluids, the product of petroleum,
12 and fix their compensation, to be paid by the party requiring their services.
13 Every such inspector shall hold his office for one year, and until his
14 successor is appointed and qualified, unless sooner removed from office.
15 He may appoint deputies, for whom he shall be responsible, and who shall
16 take the same oath and be liable to the same penalties as the inspector."

17 "Section 2. Every such inspector, before entering upon the duties of his
18 office, shall take and subscribe the following oath:

19 I do solemnly swear (or affirm, as the case may be,) that I will support
20 the constitution of the United States, and the constitution of the State of
21 Illinois, and that I will faithfully discharge the duties of the office of oil
22 inspector, according to the best of my ability.

23 He shall also execute a bond payable to the People of the State, in such
24 sum as shall be required by the county judge, city council or board of trustees,
25 with one or more sureties, to be approved by the county judge, mayor, or
26 president of the board of trustees, conditioned for the faithful discharge of the
27 duties of his office. Any person aggrieved by the misconduct or neglect of
28 such inspector may maintain suit thereon for his own use."

1. Received from House May 25, 1887, and ordered to first reading.
2. First reading May 31, 1887, and ordered to second reading without reference.

A BILL

For An Act in relation to the Division of Incorporated Villages in counties under township organization.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That any incorporated village containing a popula-
3 tion of not less than 20,000 inhabitants, the territorial limits of which coincide
4 with the territorial limits of any township, may be divided into two or more
5 villages whenever it shall have complied with the provisions of the law herein-
6 after following: *Provided,* no new village shall thereby be created having a
7 population of less than one thousand inhabitants or a territorial area of less
8 than two square miles.

§ 2. Whenever a number of electors of such village equal to one-tenth of
2 the electors thereof voting at the last preceding regular village election shall
3 petition to the president and board of trustees of such village, asking that
4 certain defined portion or portions of the territory thereof shall be disconnected
5 therefrom and erected into one or more new villages, it shall be the duty of
6 such president and board of trustees of said village to submit, by ordinance,
7 to the legal voters of the village the question whether such defined portion or
8 portions of said territory shall be disconnected therefrom and erected into one
9 or more new villages, and to appoint a time and the places at which such
10 vote must be taken, and to designate the persons who shall act as judges at
11 such election, and to give notice of such election, in the same manner as
12 required for the election of officers of such village.

§ 3. The ordinance above provided for shall describe the portion or portions of the territory so sought to be detached and shall fix the name or names to be given to such new village or villages if created. The vote shall be by ballot, which shall be "For Division" or "Against Division," as provided for in such ordinance, and shall be received, canvassed and returned, the same as ballots for the officers of such village.

§ 4. If a majority of such votes shall be "For Division," then such defined portion or portions of the territory of such village shall thenceforth cease to be a part of the territory thereof and shall thenceforth be a new village or villages, to be known and called by such name or names as shall have been given to it or them by said president and board of trustees of said old village in the ordinance aforesaid, and the village from which such defined portion or portions of said territory shall be taken shall be and remain a village by the name of which it shall have been before known, and under the organization by which it shall have existed before such portion or portions of its territory was disannexed therefrom.

§ 5. When a village is divided into two or more villages under this act, a new election or elections shall be ordered by the president and board of trustees of the original village for the village officers in the new village or villages formed of the territory taken from the old village, and the time and places of holding such election or elections shall be fixed, and the judges of election appointed, and notice given in the same manner as notice is required to be given of the annual village election in the village from which the territory is taken, but it shall not be necessary to order any election in the village from which said territory is taken. But if any officer or officers of the original village shall continue to reside in the territory disannexed therefrom, his or their office or offices shall be vacant and filled as in other cases of vacancy.

§ 6. Whenever a new village or villages has been formed in the manner hereinbefore set forth, the president and board of trustees of the original village shall proceed forthwith to make a distribution of any tax or other funds except those raised by special assessments, which are in the hands of the treasurer of said village, or to which said village may at the time of such division be entitled,

6 so that both the original and new village or villages shall receive parts of such
 7 funds in proportion to the amount of village taxes collected, next preceding
 8 such division from the taxable property in the territory composing the several
 9 villages: *Provided*, that before any such division shall be made, there shall
 10 be deducted therefrom an amount equal to all of the current outstanding in-
 11 debtedness of said village, exclusive of its bonded indebtedness, and said original
 12 village shall assume and pay such current outstanding indebtedness aforesaid.

§ 7. All moneys on hand, or which may be in process of collection, or
 2 which may thereafter be collected from any special assessment which has
 3 theretofore been made by said original village, shall remain in, and as collected
 4 shall be paid into the hands of the treasurer of the original village, and said
 5 original village shall go on and complete the improvement contemplated by
 6 said special assessment, the same as if no division of said village had been made.

§ 8. The president and board of trustees of the respective villages shall,
 2 within thirty days after the organization of such new village or villages,
 3 proceed in joint session to the appointment of three disinterested appraisers
 4 who shall not be citizens of the villages interested. It shall be the duty of said
 5 appraisers, within sixty days after their appointment, to appraise the property,
 6 both real and personal, of the village interested, at its fair cash value, and each
 7 village shall be entitled to such proportion thereof as the amount of village
 8 taxes which were collected next preceding such division from the taxable
 9 property within its boundary bears to the amount of village taxes collected at
 10 such time from the taxable property in the entire territory so sought to be
 11 divided. And if it shall be found that the property within the limits of the
 12 territory of one of said villages amounts in value to more than its just propor-
 13 tion of the entire property in the original village, then the said village shall
 14 immediately deliver or pay over to said other village, in property at its ap-
 15 praised value or in money, such excess over and above its just and true pro-
 16 portion thereof.

§ 9. In making said appraisement, said appraisers shall include in such
 2 appraisement all property belonging to the said village which it owns or holds,

9 of every kind, nature and description, but such property as has been paid for by
4 special assessment or special tax shall not be deemed, taken or considered as a
5 part of the property so to be appraised.

§ 10. When any portion or portions of a village having an outstanding in-
2 debtedness shall be disannexed therefrom under this act, the clerk of such
3 original village shall annually certify to the county clerk, the sum or sums under
4 the ordinance or ordinances of such village, providing for the collection of a
5 direct annual tax to pay and discharge the principal and interest of such bonded
6 indebtedness, which will be needed to pay the yearly interest on such bonded
7 indebtedness as it falls due, and pay and discharge the principal thereof at
8 maturity, and upon such certificate being filed, the county clerk shall extend the
9 same against all the property embraced within such original village as if it had
10 not been divided, and the same, when collected, shall be paid to the treasurer of
11 such original village, and shall be used for no other purpose than to pay off and
12 discharge the principal and interest of such bonded indebtedness.

§ 11. The division of a village after the making out of the assessor's books,
2 in any year, shall in no manner affect the assessment or collection of taxes,
3 assessable or collectable in that year, but the same may be assessed and collected
4 in the same manner and by the same officers, as if no division had taken place,
5 and all such village taxes shall be paid over to the villages respectively, embrac-
6 ing the lands and lots upon which any such real estate taxes shall be paid, and
7 the residence of the person who shall pay any of such personal property taxes.

1. Introduced by Mr. Bacon, of Will, January 25, 1887, and ordered to first reading.
2. First reading January 25, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 3, passage recommended and ordered to second reading.

A BILL

For "An Act to secure the enforcement of the law for the prevention of cruelty to Children and Animals."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the county board of each county in this State shall appoint an officer for the purpose of causing the enforcement of the law for the prevention of cruelty to children and animals.

§ 2. The term of office for such officer shall be for the period of four years, and until his successor is appointed; and he shall receive an annual salary not to exceed the sum of five hundred dollars (\$500), payable quarterly out of the county treasury.

§ 3. It shall be the duty of such officers to receive and investigate all complaints of the violation of the laws of this State in reference to the prevention of cruelty to children and animals, and to cause the enforcement of such laws.

§ 4. Such officer shall have authority, within their respective counties, to arrest without warrant all persons violating the laws for the prevention of cruelty to children and animals, where said offenses are committed in their presence; and when any such arrest is made it shall be the duty of the officer making the same to forthwith take the person or persons so arrested before the proper magistrate for proceedings according to law; and such officers, within their respective counties, shall also have authority

8 to serve all warrants or other process, in all proceedings before justices of
9 the peace under the criminal laws of this State for the prevention of cruelty
10 to children and animals.

§ 5. All persons who now have, or shall hereafter have, the care, custody or
2 control of any orphan child or children shall report in writing to such
3 officer in their county, within thirty days after his appointment, and there-
4 after within thirty days after any such orphan child or children may have
5 come into their care, custody or control, the name, age and sex of any
6 such child or children, together with the parent's names, if known; and all
7 persons having the care, custody or control of such orphan child or children
8 who shall violate the provisions of this section shall be fined in a sum
9 not less than three (~~\$3~~) dollars nor more than fifty (~~\$50~~) dollars, and a like
10 amount for every thirty (~~30~~) days thereafter in which they shall neglect
11 to make such report; and it shall be the duty of such officer to keep in
12 a proper book to be provided by the county board, a register of all such
13 orphan children.

§ 6. Said officers shall make full reports of all their proceedings under
2 this statute to their respective county boards annually.

1. Introduced by Mr. Knopp, January 25, 1887, and ordered to first reading.
2. First reading January 25, 1887, and referred to Committee on Elections.
3. Reported back March 18, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections one (1), two (2), three (3), seven (7) and twelve (12), of article two (2) and sections eighteen (18), nineteen (19) and twenty (20), of article four (4), and section seven (7) of article (5), of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, and in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), two (2), three (3), seven (7), and twelve (12), of article two (2) and sections eighteen (18), nineteen (19) and twenty (20), of article four (4) and section seven (7) of article five (5), of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, be and the same is hereby amended to read as follows:

"Section 1. In every city, village and incorporated town so adopting this act, there shall be created a board of election commissioners, which shall be composed of three members, each of whom shall be designated as an election commissioner and shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, but only upon the recommendation of the respective county central committees representing the political parties entitled to such commissioners; and, such

16 appointment shall be entered of record in the county court, and, when
 17 qualified such commissioner shall be an officer of such court. The first
 18 appointment of such commissioner shall be within sixty days after the adop-
 19 tion of this act, and those first appointed shall hold their offices for the
 20 period of one, two and three years respectively, and the Governor when appoint-
 21 ing them shall designate the terms for which each one shall hold his office,
 22 whether for one, two or three years. If the office of either commissioner
 23 shall become vacant, it shall thereupon be the duty of the Governor to
 24 appoint a successor for such unexpired term, after the expiration of the term
 25 for which each commissioner is appointed, the Governor shall, in the same
 26 way, nominate and appoint a successor, who shall hold his office for the
 27 period of three years, and until his successor is appointed.

28 "Section 2. Two of such commissioners, at least, shall always be selected
 29 from the two leading political parties of the State, one from each of such
 30 parties, and all shall be legal voters and householders, residing in such city,
 31 village or incorporated town, and be men of well known political convictions
 32 and of approved integrity and capacity. No commissioner can hold any other
 33 public office. Whenever it shall come to the knowledge of the Governor
 34 that one of the leading political parties of the State is not represented upon
 35 such commission by a person of the same political faith, he shall at once
 36 remove one of such commissioners and fill the vacancy with a member of the
 37 leading political party not so represented.

38 "Section 3. The Governor may at any time, upon complaint made and
 39 cause shown, satisfactory to him, after notice to such commissioner, and
 40 an opportunity to be heard, remove any such commissioner and the county
 41 court shall upon proper notice enter of record an order of such removal,
 42 and there shall be no appeal from such removal. Such complaint must
 43 be signed and sworn to by at least twenty five legal voters of such city,
 44 village or incorporated town, and must state the grounds of such complaint."

45 "Section 7. Said board shall have the right to employ a chief clerk,
 46 who shall have charge of the office of said board, and who shall be

47 present and in attendance at all proper business hours. Such chief clerk
48 shall take an oath of office before such county judge, to the effect that
49 he will honestly and faithfully perform all the duties of such office, under
50 the direction of said board, which shall be preserved in the same way,
51 and he shall be under the direction of said board, and he shall have the
52 right to administer all oaths required under this act to be administered
53 by either of said commissioners. Such additional assistants may be em-
54 ployed by said board from time to time as may be necessary. The number
55 of assistants of such election commissioners shall be determined by rule
56 of the circuit court to be entered of record, and their compensation shall
57 be determined by the board of election commissioners.

58 Section 12. In the selection of judges of election at least one shall
59 be selected from each of the two leading political parties or organizations
60 of the State, to serve in each precinct and one clerk of election shall be
61 selected from each of the two leading political parties of the State, to
62 serve in each precinct, each of the commissioners shall have a veto upon
63 the proposed selection or nomination of any judge or clerk, and if, in
64 any instance, in consequence of such veto, the board cannot agree upon
65 such appointments, then the names of six persons who are eligible shall
66 be selected, for judge or clerk, as the case may be, by the commissioner
67 or commissioners belonging to the leading political party entitled to be
68 represented by such judge or clerk, and out of said six names the other
69 commissioner or commissioners representing the other leading political
70 party of the State, shall select the name of such judge or clerk, who,
71 when so selected, shall be the judge or clerk, if otherwise eligible, if he
72 will serve or shall not be excused for cause, and if he shall be confirmed
73 by the county court. In case the persons so selected for judges or clerks
74 do not appear for examination or notification, then some other persons
75 shall be selected and notified as aforesaid until some eligible person is
76 found who will serve. In all cases where the parties aforesaid do not
77 appear and be examined, or if they do appear and refuse to serve, it

78 shall be the duty of the commissioners by the corporate name of the
79 board of commissioners of election to prosecute such person for such
80 forfeiture above provided, and collect and pay over the same into the
81 county treasury, and a failure of such board of commissioners of election
82 or either of them to prosecute such persons shall be sufficient cause for
83 removal from office, and when established the Governor shall so remove
84 such commissioner or commissioners from office.

85 "Section 18. Before enclosing in an envelope the statements or returns
86 aforesaid, and after signing the same, said judges shall securely paste or
87 attach to the statements to be delivered to the board of election com-
88 missioners all the ballots rejected by them as being deficient in whole or
89 in part. All the ballots shall then be enclosed in an envelope securely
90 sealed and signed in like manner as the certificates and tallies of votes,
91 and directed and delivered to the election commissioners, who shall care-
92 fully preserve said ballots for six months, and at the expiration of that
93 time, shall destroy them, by burning, without the package being previously
94 opened: *Provided*, that if any contest of election shall be pending at
95 such time, in which such ballots may be required as evidence, the same
96 shall not be destroyed till such contest is finally determined.

97 "Section 19. The poll books, which contain two of the several statements
98 or returns, and the envelope containing the ballots shall be placed in the
99 ballot-box, and the ballot-box shall then be locked and the key removed,
100 whereupon said judges of election shall all write their names upon a strip
101 of paper of sufficient length for the following purpose. Said strip of paper
102 after the signing of their names thereon by said judges, shall then be
103 pasted over the key-hole in said ballot-box, and extending to the upper
104 lid of the box, and carried for some distance over the top, and it shall
105 be placed in such a way that the signatures of said judges shall extend
106 across the place of the opening of the lid of the box, so that when the box
107 is opened it shall tear such paper and destroy the signatures written
108 thereon, and so that when the key shall be inserted in the key-hole it

100 will tear the paper so pasted over the key-hole. Such paper shall be
110 fastened with sealing wax, or by some other adhesive material, which
111 will not permit the removal of such slip of paper without defacing the
112 same

113 "Section 20. Thereupon one of the judges of election shall take charge
114 of said ballot-box and its contents so enclosed, and one of the judges,
115 who shall represent the opposite political party from the one taking the
116 ballot-box, shall receive and hold the key thereto. The two judges, who
117 do not have charge of the ballot-box shall each take one of the state-
118 ments of the votes cast into his possession, sealed up in the envelope as
119 aforesaid, and each of the clerks shall take one of the tally-sheets, sealed
120 up in the envelopes as aforesaid, and the meeting of said judges and
121 clerks shall then be dissolved. Thereupon and before twelve o'clock of the
122 day after such election, the judge having possession of such ballot-box,
123 shall deliver the same, with the contents aforesaid, to the board of
124 election commissioners, with the seal unbroken, and shall receive a receipt
125 therefor, and within the same period of time the judge, having posses-
126 sion of such key, shall deliver the same to said board of commissioners
127 and receive a receipt therefor, and the two judges, not having possession
128 of the ballot-box, and the two clerks, shall each, before twelve o'clock
129 next day after such election, deliver the statements and tallies so in their
130 possession, respectively, to the respective officers to whom addressed, as
131 aforesaid, and who, by this act, are entitled to receive the same, and when
132 delivered, each one shall take a receipt from the officer to whom delivered.
133 And none of them shall receive pay for their services, as such judges or
134 clerks, without the production of the receipts so given them by the officer
135 aforesaid. It shall be the duty of the respective officer so designated, to
136 whom such statements, tallies and ballots are ordered to be delivered to
137 receive the same and safely keep under lock and key until ordered to be
138 surrendered as heretofore provided

139 "Section 7. The county judge shall be the presiding officer of such can-
140 vassing board, and a majority of such canvassing board shall have the right

141 to declare the result, and the result when so declared, the said county
142 judge shall cause to be entered of record in his court as aforesaid. The
143 circuit court shall hear and determine contests of election, held under this
144 act, of all county, city, village, township and precinct officers, except for
145 circuit and superior judges. Contests may be brought by persons now per
146 mitted under the general laws of this State, and upon like notice.

1. Introduced by Mr. Hill, January 25, 1887, and ordered to first reading.
2. First reading January 25, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back February 2, 1887, and ordered to be printed for information.

A BILL

For An Act to protect employes and laborers in their claims for wages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That hereafter, when the property of any company,
3 corporation, firm, or person engaged in manufacturing, mining, or mechanical
4 business, or in the construction of any work or building, shall be seized upon
5 by any process of any court of this State; or when their business shall be
6 suspended by the action of creditors, or be put into the hands of an assignee,
7 receiver or trustee, then, in all such cases, the debts owing to laborers or em-
8 ployes, which have accrued by reason of their labor or employment, to an
9 amount not exceeding fifty dollars to each employe, for work or labor per-
10 formed within six months next preceding the seizure or transfer of such
11 property, shall be considered and treated as preferred debts, and such laborers
12 or employes shall be preferred creditors, and shall be first paid in full; and if
13 there be not sufficient to pay them in full, then the same shall be paid to
14 them pro rata, after paying costs: *Provided,* such employes and laborers
15 shall present statements duly verified for wages due, within thirty days after
16 such seizure, assignment, receivership or trusteeship, to the officer, person or
17 court charged with such property: *And, provided further,* that in case of
18 contest of any claim or claims or any part thereof, supported by affidavit of
19 merit by contestant, presented, the claimant shall be required to reduce his
20 claim to judgment before some court having competent jurisdiction thereof.

1. Introduced by Mr. Hill, January 25, 1887.
2. First reading January 25, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to protect employes and laborers in their claims for wages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter, when the property of any company, corporation, firm, or person engaged in manufacturing, mining, or mechanical business, or in the construction of any work or building, shall be seized upon by any process of any court of this State; or when their business shall be suspended by the action of creditors, or be put into the hands of an assignee, receiver or trustee, then, in all such cases, the debts owing to laborers or employes, which have accrued, by reason of their labor or employment, to an amount not exceeding fifty dollars to each employe, for work or labor performed within six months next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts, and such laborers or employes shall be preferred creditors, and shall be first paid in full, and if there be not enough to pay them in full, then the same shall be paid to them pro rata, after paying costs: *Provided*, such employes and laborers shall present statements, duly verified, for wages due within thirty days after such seizure, assignment, receivership or trusteeship, to the officer, person or court charged with such property. *And, provided further*, that in case of contest of any claim or claims, or any part thereof, supported by affidavit of merits by contestant presented, the claimant shall be required to reduce his claim to judgment before some court having competent jurisdiction thereof.



- 1 Introduced by Mr. Hill, January 25, 1887.
- 2 First reading January 25, 1887, and referred to Committee on Labor and Manufactures.
- 3 Reported back with amendments, passage recommended, and ordered to second reading.
- 4 Amended and ordered to a third reading March 1, 1887.

A BILL

For An Act to protect employes and laborers in their claims for wages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That hereafter, when the property of any company,
3 corporation, firm or person shall be seized upon by any process of any court
4 of this State, or when their business shall be suspended by the action of
5 creditors, or be put into the hands of a receiver or trustee, then in all
6 such cases, the debts owing to laborers or servants, which have accrued
7 by reason of their labor or employment to an amount not exceeding fifty
8 dollars to each employe, for work or labor performed within six months
9 next preceding the seizure or transfer of such property, shall be considered
10 and treated as preferred debts, and such laborers or employes shall be
11 preferred creditors and shall be first paid in full; and if there be not
12 sufficient to pay them in full, then the same shall be paid to them *pro*
13 *rata*, after paying costs. Any such laborer or servant, desiring to enforce
14 his or her claim for wages under this act shall present a statement under
15 oath, showing the amount due after allowing all just credits and set-offs,
16 the kind of work for which such wages are due, and when performed, to
17 the officer, person or court charged with such property within ten days
18 after the seizure thereof on any execution or writ of attachment, or within

19 thirty days after the same may have been placed in the hands of any
20 receiver or trustees, and thereupon it shall be the duty of the person or
21 court receiving such statement to pay the amount of such claim or claims,
22 to the person or persons entitled thereto after first paying all costs
23 occasioned by the seizure of such property out of the proceeds of the sale
24 of the property seized. *Provided*, that any person interested may contest
25 any such claim or claims or any part thereof by filing exceptions thereto,
26 supported by affidavit, with the officer having the custody of such property,
27 and thereupon the claimant shall be required to reduce his claim to judg-
28 ment before some court having jurisdiction thereof, before any part thereof
29 shall be paid.

1. Introduced by Mr. Gore, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 24, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 9, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following sums be, and are hereby appro-
3 priated to the Illinois Institution for the Education of the Blind, for the pur-
4 poses hereinafter named:

5 For ordinary expenses, thirty-four thousand dollars (\$34,000), per annum,
6 payable quarterly in advance, from July 1, 1887, until the expiration of the
7 first fiscal quarter after the adjournment of the next General Assembly.

8 For repairs and improvements, nineteen hundred dollars (\$1,900), per annum.

9 For filter, twelve hundred and fifty dollars, (\$1,250.)

10 For fire escapes, twelve hundred dollars (\$1,200.)

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees, or their order, only on the terms and in the manner now provided
3 by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 122.

Amend line 8 by striking out the word "four" and insert the word "two" in lieu thereof. Also amend in same line by striking out the figures "34,000" and insert the figures "32,000" in lieu thereof.

Also amend line 12 by striking out the word "nineteen" and insert the word "fifteen." Also amend in same line by striking out the figures "1,000," and insert the figures "1,500" in lieu thereof.

Also amend by striking out line 14.

1. Introduced by Mr. Gore, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 24, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 9, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That the following sums be, and are hereby appropriated to the Illinois Institution for the Education of the Blind, for the purposes hereinafter named:

For ordinary expenses, thirty-four thousand dollars (\$34,000), per annum, payable quarterly in advance, from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and improvements, nineteen hundred dollars (\$1,900), per annum.

For fuel, twelve hundred and fifty dollars, (\$1,250.)

For fire escapes, twelve hundred dollars (\$1,200.)

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 122.

Amend line 8 by striking out the word "four" and insert the word "two" in lieu thereof. Also amend in same line by striking out the figures "34,000" and insert the figures "32,000" in lieu thereof.

Also amend line 12 by striking out the word "nineteen" and insert the word "fifteen." Also amend in same line by striking out the figures "1,300," and insert the figures "1,500" in lieu thereof.

Also amend by striking out line 14.

1. Introduced by Mr. Gore, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back April 22, 1887, with amendments, passage recommended, and ordered referred to Committee on Appropriations.
4. Reported back May 25, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following sums be and are hereby appropriated to the Illinois Institution for the Education of the Blind, for the purposes hereinafter named:

For paying one-half the width of the street and connections, thirty-four hundred dollars (\$3,400).

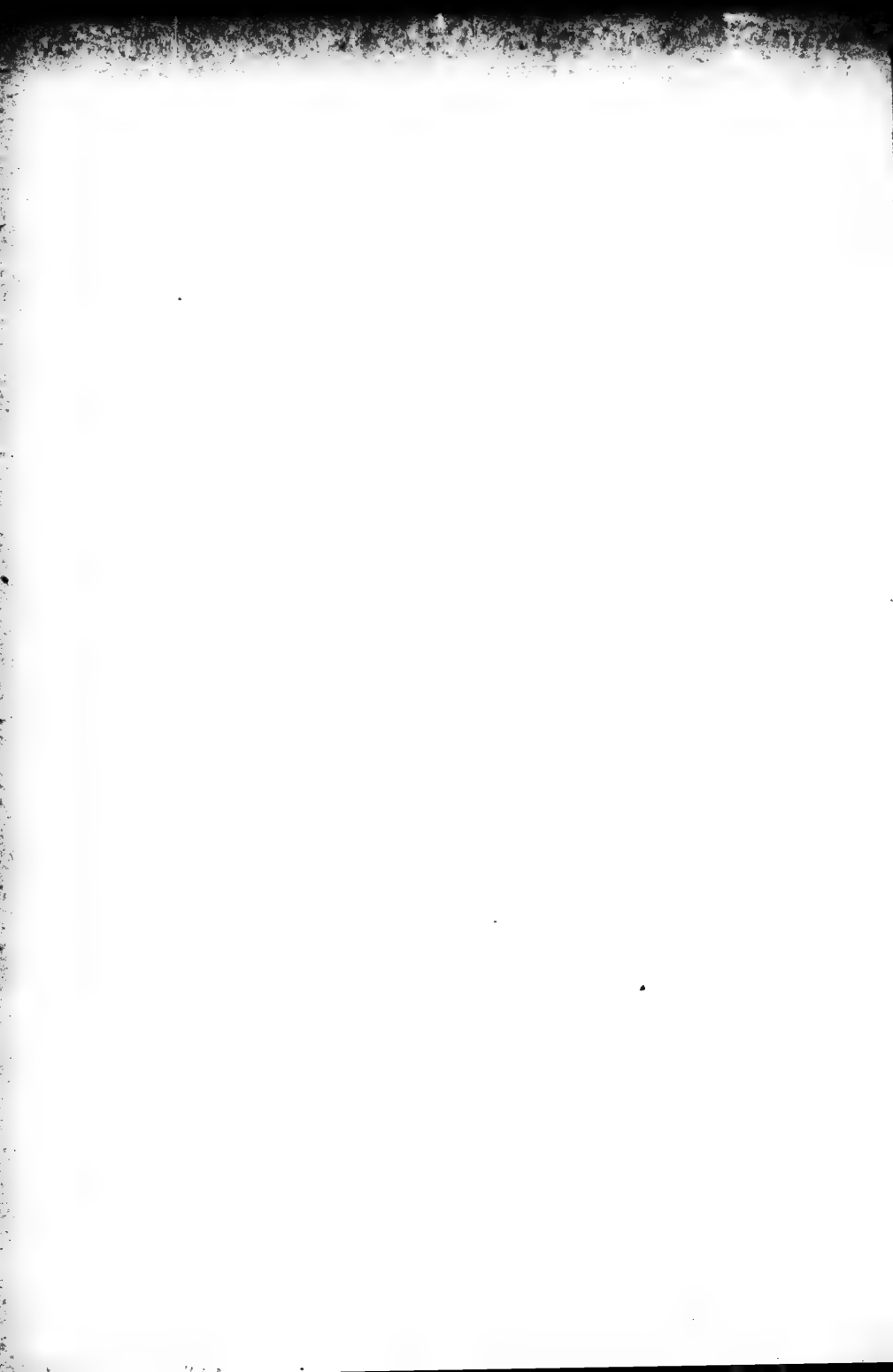
For completion of building for storehouse, refrigerator, bakery and offices, five thousand dollars (\$5,000).

For extension of center building and for kitchen and hospital, and laundry, and furnishing the same, twenty-five thousand dollars (\$25,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees or their order, only on the terms and in the manner now provided by law.

AMENDMENT PROPOSED BY COMMITTEE ON APPROPRIATIONS
TO SENATE BILL No. 123.

Amend by striking out lines 10, 11, 12 and 13.



1. Introduced by Mr. Eckhart, January 26, 1887, and ordered to first reading.
2. First reading, January 26, 1887, and referred to Committee on Military. **11**
3. Reported back, March 8, 1887, and referred to Committee on Appropriations.
4. Reported back, May 13, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to pay to Mrs. Emily J. Blackburn five thousand dollars on account of the death of her son, Francis J. Blackburn, from disease contracted while in the discharge of his duty as a private in Co. B, First Regiment Illinois National Guards, when in active service.

WHEREAS, Francis J. Blackburn, on the 15th day of November, 1886, at Chicago, after nearly five years' service as a private in Co. B, First Regiment Illinois National Guards, died from exposure and disease resulting therefrom, while in the discharge of his duty as a member of said regiment, when in active service, pursuant to the order of the Governor of the State of Illinois; and,

WHEREAS, The said Francis J. Blackburn left him surviving a widowed mother and an unmarried sister dependent upon him in his life time for their support; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That five thousand dollars be and the same is hereby appropriated out of the Treasury as compensation and relief of the said Mrs. Emily J. Blackburn, mother of Francis J. Blackburn, and that the Auditor of Public Accounts issue his warrant on the Treasury therefor.*

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO S. B. NO. 124.

Amend line 18 of said bill by striking out the words "five thousand and 2 insert the words "two thousand five hundred" in lieu thereof.

1. Received from House April 25, 1887, and ordered to first reading.
 2. May 2, 1887, referred to Committee on Appropriations.
 3. Reported back June 3, 1887, without recommendation, read first time and ordered to second reading.
-

A BILL

For An Act to make an appropriation for the relief of Peter McGee who was disabled by the premature discharge of a cannon belonging to the State of Illinois, at a reunion of the Army of the Tennessee.

WHEREAS, said cannon was honey-combed and unfit for use; and

- 2 WHEREAS, said Peter McGee by said premature discharge lost his right hand
3 and use of arm and was otherwise disabled; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the sum of fifteen hundred dollars be and the
3 same is hereby appropriated out of any money in the treasury not otherwise
4 appropriated, for the relief of said Peter McGee, which sum shall be in full for
5 all damages he sustained through the premature discharge of said cannon.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the State Treasurer for the sum of fifteen hundred dollars
3 to the order of the said Peter McGee, and the State Treasurer is hereby author-
4 ized to pay the same out of any money in the State treasury not otherwise ap-
5 propriated.



- 1 Introduced by Mr. Funk, January 26, 1887, and ordered to first reading.
- 2 First reading January 26, 1887, and referred to Committee on Agriculture and Drainage.
- 3 Reported back with amendments January 27, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That "An act to revise the law in relation to the
3 suppression and prevention of the spread of contagious and infectious diseases
4 among domestic animals," be amended so as to read as follows:

5 "Section 1. *Be it enacted by the People of the State of Illinois, represented*
6 *in the General Assembly,* That the Governor shall, with the advice and con-

7 sent of the Senate, appoint three practical stock breeders, who shall constitute
8 a Board of Live Stock Commissioners, who shall hold their office in the order
9 in which they are named, the first for one year, the second for two years and
10 the third for three years; and their successors in office shall be appointed for
11 three years each. Before entering on the duties of their office, they shall take
12 and subscribe to an oath of office for the faithful performance of their duties
13 as such Commissioners, and shall file the same with the Governor.

14 Section 2. It shall be the duty of said Board of Commissioners to cause
15 to be investigated any and all cases, or alleged cases, coming to their knowl-
16 edge, of contagious or infectious diseases among domestic animals, and to use
17 all proper means to prevent the spread of such diseases, and to provide for
18 the extirpation thereof; and in the event of reasonable ground for belief that any

19 such contagious or infectious disease has broken out in this State, it shall be
20 the duty of the person owning or having in charge animals infected with
21 disease, or any other person having knowledge or reason to suspect the exist-
22 ence of such disease, to immediately notify said Board of Commissioners, or
23 some member thereof, by communication to said Board of the existence of
24 such disease, and thereupon it shall be the duty of said Board, or some mem-
25 ber thereof, or authorized agent of the Board, immediately to cause proper
26 examination thereof to be made, and if said disease shall be found to be a
27 dangerously contagious or infectious malady, said Board, or any member
28 thereof, or the State Veterinarian, or any assistant veterinarian, shall order
29 said diseased animals, and such as have been exposed to contagion, and the
30 premises in which they are, to be strictly quarantined for such time as the
31 Board, or any member thereof, or such Veterinarian, may deem necessary, in
32 charge of such person as the Board, or any member thereof, or such Veter-
33 inarian, shall designate, and they shall have power to order any premises and
34 farms where the disease exists, or has recently existed, as well as exposed
35 premises and farms, to be put in quarantine, so that no domestic animal which
36 has been, or is so diseased, or has been exposed to such contagious or infec-
37 tious disease, be removed from the places so quarantined, nor allow any
38 healthy animal to be brought therein, except under such rule or regulation as
39 the said Board may prescribe; and said Board shall prescribe such regulations
40 as they may deem necessary to prevent such disease from being communicated
41 in any way from the places quarantined. In cases of contagious and infec-
42 tious diseases, the said Board, or any member thereof, shall have power to
43 order the slaughter of all diseased and exposed animals. The said Board shall
44 have power to cause to be destroyed all barns, stables, premises, fixtures,
45 furniture and personal property infected with any contagious or infectious
46 disease, so far as in their judgment may be necessary to prevent the spread
47 of such disease. When the Board, upon the written report of the State
48 Veterinarian, or any of his assistants, determine that any animal is infected
49 with, or has been exposed to, any dangerously contagious or infectious disease,
50 the Board, or any member thereof, may agree with the owner upon the

51 value of the same, and in case such agreement cannot be made, said Board,
52 or the member acting in behalf of the Board, may appoint three disinterested
53 citizens of the State to appraise such diseased or affected animal or animals.
54 Such appraisers shall subscribe to an oath in writing to fairly value such
55 animal in accordance with the requirements of this act, which oath, together
56 with the valuation fixed by said appraisers, shall be filed with the Board, and
57 be preserved by them. Upon such appraisement being made, it shall become
58 the duty of the owner to immediately destroy such animal and dispose of the
59 carcass in accordance with the order of said Board, or member thereof, and
60 upon failure to so do, said Board, or member thereof, shall cause such animal
61 to be destroyed and disposed of, and thereupon the said owner shall forfeit all
62 right to receive the compensation allowed by said appraisers and provided for
63 by this act. When the Board, upon the written opinion of the State Veter-
64 inarian, determines that any barns, stables, out-buildings, or premises are so
65 infected that the same can not be disinfected, they may quarantine such
66 barns, stables, out-buildings or premises from use for the animals that may be
67 infected by such use, and such quarantine shall continue until removed by the
68 Board, and a violation of such quarantine shall be punished as is provided for
69 violations of other quarantine by this act.

70 "Section 3. The Governor shall appoint a competent veterinary surgeon who
71 shall be known as the State Veterinarian, who, together with his assistants,
72 shall act under the direction of said Board in carrying out the provisions of
73 this act. In the event of the inability of the said State Veterinarian to perform
74 all the work which he may be directed to do by said Board of Commissioners,
75 he may, by and with the advice and consent of said Board, appoint necessary
76 assistants, upon terms not exceeding that paid the State Veterinarian. The
77 State Veterinarian shall receive for his services the sum of \$8 per day for each
78 day actually employed under the provisions of this act, together with the
79 necessary traveling expenses, to be certified to by said Board of Commissioners."

80 "Section 4. Whenever said Board of Commissioners shall report to the
81 Governor that such diseases have become epidemic in certain localities in other
82 States, or that their condition would render such domestic animals liable to

83 convey diseases, he may, by proclamation, schedule such localities, and prohibit
 84 the importation of any live stock of the kind diseased into the State, except
 85 under such regulations as may be prescribed by the said Board and approved
 86 by the Governor. Any corporation which shall knowingly transport, receive
 87 or convey such prohibited stock, shall be deemed guilty of a misdemeanor and
 88 upon conviction thereof, shall be fined not less than \$1,000 nor more than
 89 \$10,000 for each and every offense, and shall become liable for any and all
 90 damage or loss that may be sustained by any party or parties, by reason of
 91 the importation or transportation of such prohibited stock. Such penalty shall
 92 be recovered in any county in this State into, or through which, such stock
 93 is brought, upon information filed in the circuit court of any such county, or
 94 the Superior Court of Cook county. Any person who, knowing that any
 95 contagious, or infectious disease exists among his domestic animals, shall
 96 conceal such fact, or, knowing of the existence of such disease, shall sell the
 97 same, or any exposed animal, or knowing the same, shall remove such diseased
 98 or infected animals from his premises to the premises of another, or, knowing of the
 99 existence of such disease, or exposure, shall ship the same by any car or steamboat,
 100 and any person or persons who shall bring any such diseased, or knowingly, shall
 101 bring any such exposed animal, or animals into this State from another State,
 102 and any person or persons who shall knowingly buy, receive, sell, convey or engage
 103 in the traffic of such diseased, or exposed stock, shall, for any and all acts
 104 above mentioned in this section be guilty of a misdemeanor and on conviction
 105 thereof, or of any one of said acts, shall be fined in any sum not less than \$25
 106 nor more than \$200, and imprisoned in the county jail until the fine and costs
 107 are paid, and shall forfeit all right to the compensation for any animal destroyed
 108 under the provisions of this act. Any veterinary practitioner having information
 109 of any such contagious or infectious disease in this State, and who shall fail
 110 to promptly report such knowledge to the Board of Live Stock Commissioners,
 111 shall be fined not less than \$100 nor more than \$500, or be imprisoned in the
 112 county jail not more than one year for each offense.

113 Section 5. Whenever said Board shall become satisfied that any dangerously
 114 contagious or infectious disease among domestic animals exists throughout any

115 municipality or geographical district in the State; and in their judgment it is
 116 necessary to quarantine such municipality or geographical district in order to
 117 prevent the spread of such disease into contiguous territory, they shall report
 118 the same to the Governor, who may thereupon by proclamation schedule and
 119 quarantine such district, prohibiting all domestic animals of the kind diseased
 120 from being brought into, or taken from such infected district; and such
 121 proclamation shall from the time of its publication bind all persons; and any
 122 violation of such quarantine regulations so established shall be visited with like
 123 penalties and recovered in like manner as is provided for the violation of other
 124 quarantine as provided in section 4 of this act: *Provided*, that nothing
 125 contained in this section shall be so construed as to prevent the movement of
 126 any animals of the kind diseased through such territory under such regulations
 127 as the Board of Live Stock Commissioners may prescribe, and the Governor
 128 approve.

129 Section 6. Nothing contained in this act, or any section thereof, shall be
 130 interpreted so as to prevent the removal, or shipment of diseased, or exposed
 131 animals, under the orders of the Board created by this act, from one place to
 132 another by said Board, or its agents, by driving along the public highway, or
 133 shipment on cars, or steamboats when in the opinion of said Board such
 134 removal is necessary for the suppression of such contagious and infectious
 135 disease.

136 Section 7. Whenever quarantine is established in accordance with the
 137 provisions of section 2 of this act, valid notice of the same may be given by
 138 leaving with the owner or occupant of any premises in person, or delivering to
 139 any member of his family, or any employe over the age of ten years found on
 140 the premises so quarantined, notice thereof, written or printed, or partly written
 141 and partly printed and at the same time explaining the contents thereof.
 142 Such quarantine shall be sufficiently proven in any court by the production of
 143 a true copy of such notice of quarantine with a return thereon of the service
 144 of the same in the manner above required. Any person violating said
 145 quarantine shall be guilty of a misdemeanor and punished as is provided for in
 146 section 4 of this act, and, on conviction, shall be liable for all damage that

147 may result to other persons in consequence of such violation: *Provided*, that
 148 any one feeling himself aggrieved by such quarantine may appeal to the full
 149 Board of Commissioners, who shall thereupon sustain, modify or annul said
 150 quarantine as they deem proper.

151 "Section 8. All fines recovered under the provisions of this Act shall be
 152 paid into the county treasury of the county in which the said is tried, by the
 153 person collecting the same in the manner now provided by law to be used
 154 for county purposes, and it shall be the duty of State Attorneys in their
 155 respective counties to prosecute all violations of this Act.

156 "Section 9. All claims against the State arising from the slaughter of
 157 animals, as herein provided for, shall be made to said Board of Commissioners,
 158 under such rules and regulations as they may prescribe, and it shall be the
 159 duty of said Board of Commissioners to determine the amount which shall be
 160 paid in each case on account of animals so slaughtered, which in case of
 161 animals of the bovine species, shall be based on the fair cash market value
 162 thereof, for beef, or for use for dairy purposes, not to exceed \$75 per
 163 head, and in cases of animals of the equine species, on their fair cash market
 164 value, not to exceed \$100 per head, and report the same to the Governor,
 165 and the Governor shall endorse thereon his order to the State Auditor, who
 166 shall thereupon issue his warrant on the State Treasurer for the same.

167 "Section 10. Said Board of Commissioners, or any member thereof, and the
 168 State Veterinarian and his assistants, in the performance of their duties
 169 under this Act shall have power to call on sheriffs and their deputies, constables
 170 and peace officers, mayors of cities, city and town marshals and
 171 policemen to assist them in carrying out its provisions, and it is hereby made
 172 the duty of all such officers to assist in carrying out the provisions of this Act
 173 when ordered to do so, and said Commissioners and the State Veterinarian
 174 and his assistants, shall have, while engaged in carrying out the provisions of
 175 this Act, the same powers and protection that other peace officers have, and any
 176 such officer who fails or refuses to enforce the lawful orders and quarantine
 177 of said Board, or any member thereof, or any veterinarian acting under them,
 178 in the proper execution of the powers conferred by this Act, shall be deemed

179 guilty of a misdemeanor, and punished as provided in Section 4 of this Act,
 180 and on conviction shall be be liable for all damage occurring to other persons
 181 on account of such neglect, or refusal, on his part to carry out the orders and
 182 maintain the quarantine established by said Board, or any member thereof, or
 183 its authorized agents, such damage to be collected by suit upon the bond of
 184 such officer, brought in the name of the people of the State of Illinois for the
 185 use of the party injured.

186 Section 11. The said Board shall cooperate with any Commission or other
 187 officer appointed by the United States for the suppression of contagious
 188 diseases among domestic animals, so far as the provisions of this Act, and the
 189 appropriations made in accordance therewith will allow in suppressing and
 190 preventing the spread of contagious and infectious diseases among domestic
 191 animals in this State.

192 Section 12. It shall be the duty of said Board of Commissioners to keep
 193 a record of all their acts and proceedings, and report the same to the
 194 Governor annually, or oftener if required for publication. The annual report
 195 shall include an itemized statement of all sums expended by them under this
 196 Act, including a statement of all damages recommended by them to be paid
 197 for all animals slaughtered, and the amounts paid therefor.

198 Section 13. The members of said board shall each receive the sum of \$5
 199 per day for each day necessarily employed in the discharge of their duties,
 200 their necessary traveling expenses and other incidental expenses necessarily
 201 incurred in the performance of their duties under this Act, to be paid on
 202 certified and itemized vouchers to be approved by the Governor.

Amend Senate Bill No. 129 by adding the following three sections:

§ 14. Said Board of Commissioners shall be furnished by the Secretary of
 2 State with the necessary blank books, blanks, stationery and supplies.

§ 15. All acts and parts of acts inconsistent herewith are hereby repealed.

§ 16. Whereas, the Live Stock Association are without power to suppress
 3 contagious and infectious diseases now existing among live stock in the State
 4 of Illinois, under the present law, therefore an emergency exists, and this Act
 5 shall take effect from and after its passage.

1. Introduced by Mr. Funk, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back January 27, 1887, passage recommended, and ordered to second reading.
4. Second reading February 2, 1887, amended and ordered to a third reading.
5. Reported engrossed February 4, 1887.
6. Third reading February 15, 1887; failed to pass with two-thirds vote, and then referred to Committee on Agriculture and Drainage.
7. Reported back February 24, 1887, with amendments; passage recommended, and ordered to a second reading, and to be printed.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885.

- Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," be amended so as to read as follows:
- "Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* the Governor shall, with the advice and consent of the Senate, appoint three practical stock breeders, who shall constitute a Board of Live Stock Commissioners, who shall hold their office in the order in which they are named, the first for one year, the second for two years, and the third for three years; and their successors in office shall be appointed for three years each. Before entering on the duties of their office, they shall take and subscribe to an oath of office for the faithful performance of their duties as such Commissioners, and shall file the same with the Governor.
- "Section 2. It shall be the duty of said Board of Commissioners to cause to be investigated any and all cases, or alleged cases coming to their knowledge, of contagious or infectious diseases among domestic animals, and to use

AMENDMENTS.

The Committee on Agriculture and Drainage recommend the following amendments to Senate Bill 129, (printed).

First—Insert "Funk" in place of "Stewart," line one (1) top of printed bill

2 page one (1).

3 *Second*—In line twenty (20), page two (2), insert the words "any animal
4 or" between the words "charge" and "animals" and add the words "any
5 such" at the end of said line twenty, and after the word "with."

6 *Third*—Insert the word "dangerously" in line twenty-seven (27) between the
7 words "or" and "infectious."

8 *Fourth*—In the line thirty-seven (37) insert the word "shall" between the
9 words "disease" and "be."

10 *Fifth*—Insert in line forty-one (41) the words "all such" between the words
11 "in" and "cases."

12 *Sixth*—Insert in line forty-three (43) the word "such" between the words
13 "all" and "diseased."

14 *Seventh*—Insert in line forty-five (45) the word "such" between words "any"
15 and "contagious."

16 *Eighth*—Insert in line fifty-one (51) the words "such animals and property"
17 between the words "of" and "and," and erase the words "the same."

18 *Ninth*—Insert in line fifty-three (53) the word "exposed" between the words
19 "or" and "animals," and add at the end of said line and after the word
20 "animals" the words "or property," and erase the word "affected."

21 *Tenth*—Insert in line fifty-eight (58) the words "or property" between the
22 words "animal" and "and."

23 *Eleventh*—Insert in line fifty-nine (59) the word "same" in lieu of the word
24 "carcass" erased.

25 *Twelfth*—Add to line sixty after the word "animal" the words "or animals
26 or property."

27 *Thirteenth*—Insert in line seventy-five (75) the words "such other" between
28 the words "appoint" and "necessary."
29

113 "Section 5. Whenever said Board shall become satisfied that any dangerously
 114 contagious or infectious disease among domestic animals exists throughout any
 115 municipality or geographical district in the State, and in their judgment it is
 116 necessary to quarantine such municipality or geographical district in order to
 117 prevent the spread of such disease into contiguous territory, they shall report
 118 the same to the Governor, who may thereupon by proclamation schedule and
 119 quarantine such district, prohibiting all domestic animals of the kind diseased
 120 from being brought into or taken from such infected district, and such
 121 proclamation, shall from the time of its publication bind all persons, and any
 122 violation of such quarantine regulations so established shall be visited with like
 123 penalties and recovered in like manner as is provided for the violation of other
 124 quarantine as provided in section 4 of this act. *Provided*, that nothing
 125 contained in this section shall be so construed as to prevent the movement of
 126 any animals of the kind diseased through such territory under such regulations
 127 as the Board of Live Stock Commissioners may prescribe, and the Governor
 128 approve.

129 "Section 6. Nothing contained in this act, or any section thereof, shall be
 130 interpreted so as to prevent the removal, or shipment of diseased, or exposed
 131 animals, under the orders of the Board created by this act, from one place to
 132 another by said Board or its agents, by driving along the public highway, or
 133 shipment on cars or steamboats, when in the opinion of said Board such
 134 removal is necessary for the suppression of such contagious and infectious
 135 disease.

136 "Section 7. Whenever quarantine is established in accordance with the
 137 provisions of section 2 of this act, valid notice of the same may be given by
 138 leaving with the owner or occupant of any premises in person, or delivering to
 139 any member of his family, or any employe over the age of ten years found on
 140 the premises so quarantined, notice thereof, written or printed, or partly written
 141 and partly printed, and at the same time explaining the contents thereof.
 142 Such quarantine shall be sufficiently proven in any court by the production of
 143 a true copy of such notice of quarantine with a return thereon of the service
 144 of the same in the manner above required. Any person violating said

145 quarantine shall be guilty of a misdemeanor and punished as is provided for in
 146 section 4 of this act, and on conviction, shall be liable for all damage that
 147 may result to other persons in consequence of such violation. *Provided*, that
 148 any one feeling himself aggrieved by such quarantine may appeal to the full
 149 Board of Commissioners, who shall thereupon sustain, modify or annul said
 150 quarantine as they deem proper.

151 "Section 8. All fines recovered under the provisions of this act shall be
 152 paid into the county treasury of the county in which the suit is tried, by the
 153 person collecting the same, in the manner now provided by law, to be used
 154 for county purposes; and it shall be the duty of State's Attorneys in their
 155 respective counties to prosecute all violations of this act.

156 "Section 9. All claims against the State arising from the slaughter of
 157 animals, as herein provided for, shall be made to said Board of Commissioners,
 158 under such rules and regulations as they may prescribe, and it shall be the
 159 duty of said Board of Commissioners to determine the amount which shall be
 160 paid in each case on account of animals so slaughtered, which, in case of
 161 animals of the bovine species, shall be based on the fair cash market value
 162 thereof, for beef, or for use for dairy purposes, not to exceed \$75 per
 163 head; and in cases of animals of the equine species, on their fair cash market
 164 value, not to exceed \$100 per head, and report the same to the Governor,
 165 and the Governor shall endorse thereon his order to the State Auditor, who
 166 shall thereupon issue his warrant on the State Treasurer for the same.

167 "Section 10. Said Board of Commissioners, or any member thereof and the
 168 State Veterinarian and his assistants, in the performance of their duties
 169 under this act shall have power to call on sheriffs and their deputies, constables
 170 and peace officers, mayors of cities, city and town marshals and
 171 policemen, to assist them in carrying out its provisions, and it is hereby made
 172 the duty of all such officers to assist in carrying out the provisions of this act
 173 when ordered so to do; and said Commissioners and the State Veterinarian
 174 and his assistants, shall have, while engaged in carrying out the provisions of
 175 this act, the same powers and protection that other peace officers have, and any
 176 such officer who fails or refuses to enforce the lawful orders and quarantine

177 of said Board, or any member thereof, or any veterinarian acting under them,
 178 in the proper execution of the powers conferred by this act, shall be deemed
 179 guilty of a misdemeanor, and punished as provided in section 4 of this act.

180 Section 11. The said Board shall co-operate with any Commissioner or other
 181 officer appointed by the United States for the suppression of contagious
 182 diseases among domestic animals, so far as the provisions of this act, and the
 183 appropriations made in accordance therewith will allow, in suppressing and
 184 preventing the spread of contagious and infectious diseases among domestic
 185 animals in this State.

186 Section 12. It shall be the duty of said Board of Commissioners to keep
 187 a record of all their acts and proceedings, and report the same to the
 188 Governor annually, or oftener if required, for publication. The annual report
 189 shall include an itemized statement of all sums expended by them under this
 190 act, including a statement of all damages recommended by them to be paid
 191 for all animals slaughtered, and the amounts paid therefor.

192 Section 13. The members of said board shall each receive the sum of \$5
 193 per day for each day necessarily employed in the discharge of their duties,
 194 their necessary traveling expenses, and other incidental expenses necessarily
 195 incurred in the performance of their duties under this act, to be paid on
 196 certified and itemized vouchers to be approved by the Governor.

197 Section 14. Said Board of Commissioners shall be furnished by the Secretary
 198 of State with the necessary blank books, blanks, stationery and supplies.

199 "Section 15. All acts and parts of acts inconsistent herewith are hereby
 200 repealed.

201 Section 16. Whereas, the Live Stock Commissioners are without power to sup-
 202 press contagious and infectious diseases now existing among live stock in the State
 203 of Illinois under the present law, therefore an emergency exists, and this act
 204 shall take effect from and after its passage."

AMENDMENTS

The Committee on Agriculture and Drainage recommend the following amendments to Senate Bill 129, printed:

First—Insert “Funk” in place of “Stewart,” line one (1) top of printed bill
2 page one (1).

Second—In line twenty (20), page two (2), insert the words “any animal
4 or” between the words “charge” and “animals” and add the words “any
5 such” at the end of said line twenty, and after the word “with.”

Third—Insert the word “dangerously” in line twenty-seven (27) between the
7 words “or” and “infectious.”

Fourth—In the line thirty-seven (37) insert the word “shall” between the
9 words “disease” and “be.”

Fifth—Insert in line forty-one (41) the words “all such” between the words
11 “in” and “cases.”

Sixth—Insert in line forty-three (43) the word “such” between the words
14 “all” and “diseased.”

Seventh—Insert in line forty-five (45) the word “such” between words “any”
16 and “contagious.”

Eighth—Insert in line fifty-one (51) the words “such animals and property”
18 between the words “of” and “and,” and erase the words “the same.”

Ninth—Insert in line fifty-three (53) the word “exposed” between the words
20 “or” and “animals,” and add at the end of said line and after the word
21 “animals” the words “or property,” and erase the word “affected.”

Tenth—Insert in line fifty-eight (58) the words “or property” between the
23 words “animal” and “and.”

Eleventh—Insert in line fifty-nine (59) the word “same” in lieu of the word
25 “carcass” erased.

Twelfth—Add to line sixty after the word “animal” the words “or animals
27 or property.”

Thirteenth—Insert in line seventy-five (75) the words “such other” between
29 the words “appoint” and “necessary.”

Fifteenth—In line seventy-six (76) erase the final letter "s" in the word "assistants" and insert the word "veterinarians" after the word "assistants" and before the word "upon."

Sixteenth—Insert in line eighty-three (83) the word "such" between the words "convey" and "disease."

Seventeenth—Erase in line ninety-one (91) the word "the" before the word "importation" and insert in lieu thereof the word "such."

Eighteenth—Insert in line ninety-three (93) the words "for county" between the words "current" and "court."

Nineteenth—Add at the end of line ninety-four (94) the word "such."

Twentieth—Add at the end of line ninety-six (96) the words "the animal or animals so diseased."

Twenty-first—Erase the first "same" in line ninety-seven (97).

Twenty-second—Insert in line ninety-nine (99) the words "drive, or lead on" between the words "shall" and "ship," and add at the end of the line after the word "steamboat" the words "to any other place in or out of this State."

Twenty-third—Insert in line one hundred and three (103) the words "and any person who shall violate any quarantine regulations established under the provisions of this act," between the words "stock" and "shall," and also insert the words "each, either," between the words "for" and "any" in the same line.

Twenty-fourth—Insert the words "or property" in line one hundred and seven (107) between the words "animal" and "destroyed."

Twenty-fifth—Erase in line one hundred and fifteen (115) the word "the," and put in lieu thereof the word "this."

Twenty-sixth—Erase in line one hundred and twenty-three (123) the word "and," and insert in lieu thereof the words "which may be."

Twenty-seventh—Insert in line one hundred and fifty-five (155) the word "for" between the words "prosecute" and "call."

1. Introduced by Mr. Funk, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back January 27, 1887, passage recommended, and ordered to second reading.
4. Second reading February 2, 1887, amended and ordered to a third reading.
5. Reported engrossed February 4, 1887.
6. Third reading February 15, 1887, failed to pass with two-thirds vote, and then referred to Committee on Agriculture and Drainage.
7. Reported back February 24, 1887, with amendments; passage recommended, and ordered to a second reading, and to be printed.
8. On second reading again, March 4, 1887, amended and ordered to a third reading, and to be printed.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," be amended so as to read as follows:

"Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor shall, with the advice and consent of the Senate, appoint three practical stock breeders, not more than two of whom shall be members of the same political party, who shall constitute a Board of Live Stock Commissioners, who shall hold their office in the order in which they are named, the first for one year, the second for two years, and the third for three years; and their successors in office shall be appointed for three years each. Before entering on the duties of their office they shall take

13 and subscribe to an oath of office for the faithful performance of their duties
14 as such Commissioners, and shall file the same with the Governor.

15 "Section 2. It shall be the duty of said Board of Commissioners to cause
16 to be investigated any and all cases or alleged cases coming to their knowl-
17 edge, of contagious or infectious diseases among domestic animals, and to use
18 all proper means to prevent the spread of such diseases, and to provide for
19 the extirpation thereof; and in the event of reasonable ground for belief that any
20 such contagious or infectious disease has broken out in this State, it shall be
21 the duty of the person owning or having in charge any animal or animals infected
22 with disease, or any other person having knowledge or reason to suspect the exist-
23 ence of such disease, to immediately notify said Board of Commissioners, or
24 some member thereof, by communication to said Board of the existence of
25 such disease, and thereupon it shall be the duty of said Board, or some mem-
26 ber thereof, or authorized agent of the Board, immediately to cause proper
27 examination thereof to be made, and if said disease shall be found to be a danger-
28 ously contagious or dangerously infectious malady, said Board or any member
29 thereof, or the State Veterinarian or any assistant veterinarian, shall order said dis-
30 eased animals, and such as have been exposed to contagion, and the premises in
31 which they are to be strictly quarantined for such time as the Board, or any member
32 thereof, or such Veterinarian may deem necessary, not to exceed thirty days, in
33 charge of such person as the Board, or any member thereof or such Veter-
34 inarian shall designate, and they shall have power to order any premises and
35 farms, where the disease exists, or has recently existed, as well as exposed
36 premises and farms to be put in quarantine, so that no domestic animal which
37 has been, or is so diseased, or has been exposed to such contagious or infec-
38 tious disease, be removed from the places so quarantined nor allow any
39 healthy animal to be brought therein, except under such rule or regulation as
40 the said Board may prescribe, and said Board shall prescribe such regulations as they
41 may deem necessary to prevent such disease from being communicated in any way
42 from the places quarantined. In all such cases of contagious and infectious
43 diseases, the said Board or, in case the number of animals shall not exceed
44 five, any member thereof, shall have power to order the slaughter of all such

15 diseased and exposed animals. The said Board shall have power to cause to be
16 destroyed all barns, stables, premises, fixtures, furniture and personal property
17 infected with any such contagious or infectious disease, so far as in their judg-
18 ment may be necessary to prevent the spread of such disease, and where the
19 same cannot be properly disinfected. When the Board, upon the written report
20 of the State Veterinarian, or any of his assistants, determine that any animal is
21 affected with, or has been exposed to, any dangerously contagious or infectious dis-
22 ease, the Board, or any member thereof, may agree with the owner upon the
23 value of such animal or property, and in case such agreement cannot be made,
24 said Board, or the member acting in behalf of the Board, may appoint three
25 disinterested citizens of the State to appraise such diseased animal or exposed ani-
26 mals or property. Such appraisers shall subscribe to an oath in writing to fairly
27 value such animal in accordance with the requirements of this act; which oath,
28 together with the valuation fixed by said appraisers, shall be filed with the Board,
29 and be preserved by them. Upon such appraisement being made, it shall become
30 the duty of the owner to immediately destroy such animal and dispose of the
31 same in accordance with the order of said Board, or member thereof, and upon
32 failure to so do, said Board, or member thereof, shall cause such animal or animals
33 or property to be destroyed and disposed of, and thereupon the said owner shall
34 forfeit all right to receive the compensation allowed by said appraisers and provided
35 for by this act. When the Board, upon the written opinion of the State Veter-
36 inarian, determines that any barns, stables, out buildings or premises are so
37 infected that the same can not be disinfected, they may quarantine such
38 barns, stables, out-buildings or premises from use for the animals that may be
39 infected by such use, and such quarantine shall continue until removed by the
40 Board, and a violation of such quarantine shall be punished as is provided for
41 violations of other quarantine by this act.

42 Section 3. The Governor shall appoint a competent veterinary surgeon who
43 shall be known as the State Veterinarian, who, together with his assistants,
44 shall act under the direction of said Board in carrying out the provisions of
45 this act. In the event of the inability of the said State Veterinarian to perform

76 all the work which he may be directed to do by said Board of Commissioners,
77 he may, by and with the advice and consent of said Board, appoint such other
78 necessary assistant veterinarians upon terms not exceeding that paid the State
79 Veterinarian. The State Veterinarian shall receive for his services the sum of
80 \$8 per day for each day actually employed under the provisions of this act,
81 together with his necessary traveling expenses, to be certified to by said Board of
82 Commissioners.

83 "Section 4. Whenever said Board of Commissioners shall report to the
84 Governor, that such diseases have become epidemic in certain localities in other
85 States, or that their condition would render such domestic animals liable to convey
86 such diseases, he may, by proclamation, schedule such localities, and prohibit
87 the importation of any live stock of the kind diseased into the State, except
88 under such regulations as may be prescribed by the said Board and approved
89 by the Governor. Any corporation which shall knowingly transport, receive
90 or convey such prohibited stock, shall be deemed guilty of a misdemeanor, and
91 upon conviction thereof, shall be fined not less than \$1,000 nor more than
92 \$10,000 for each and every offense, and shall become liable for any and all
93 damage or loss that may be sustained by any party or parties, by reason of
94 such importation or transportation of such prohibited stock. Such penalty shall
95 be recovered in any county in this State into, or through which such stock
96 is brought upon information filed in the circuit or county court of any such county
97 or the Superior Court of Cook county. Any person who, knowing that any
98 contagious or infectious disease exists among his domestic animals, shall
99 conceal such fact, or knowing of the existence of such disease, shall sell the
100 animal or animals so diseased, or any exposed animal, or knowing the same,
101 shall remove such diseased or infected animals from his premises to the premises
102 of another, or knowing of the existence of such disease, or exposure, shall drive or
103 lead or ship the same by any car or steamboat to any other place in or out
104 of this State, and any person or persons who shall bring any such diseased, or
105 knowingly, shall bring any such exposed animal or animals into this State from
106 another State; and any person or persons who shall knowingly buy, receive, sell,

107 convey or engage in the traffic of such diseased or exposed stock, and any person
108 who shall violate any quarantine regulations established under the provi-
109 sions of this act, shall, for each, either, any and all acts above mentioned in
110 this section be guilty of a misdemeanor, and, on conviction thereof, or of any
111 one of said acts, shall be fined in any sum not less than \$25 nor more than
112 \$200, and imprisoned in the county jail until the fine and costs are paid, and
113 shall forfeit all right to the compensation for any animal or property destroyed
114 under the provisions of this act. Any veterinary practitioner having information
115 of any such contagious or infectious disease in this State, and who shall fail
116 to promptly report such knowledge to the Board of Live Stock Commissioners,
117 shall be fined not exceeding five hundred dollars, or be imprisoned in the
118 county jail not more than one year for each offense.

119 "Section 5. Whenever said Board shall become satisfied that any dangerously
120 contagious or infectious disease among domestic animals exists throughout any
121 municipality or geographical district in this State, and, in their judgment, it is
122 necessary to quarantine such municipality or geographical district in order to
123 prevent the spread of such disease into contiguous territory, they shall report
124 the same to the Governor, who may thereupon, by proclamation, schedule and
125 quarantine such district, prohibiting all domestic animals of the kind diseased
126 from being brought into, or taken from such infected district; and such
127 proclamation shall from the time of its publication, bind all persons, and any
128 violation of such quarantine regulations so established shall be visited with like
129 penalties, which may be recovered in like manner as is provided for the violation
130 of other quarantine as provided in section 4 of this act: *Provided*, that nothing
131 contained in this section, shall be so construed as to prevent the movement of
132 any animals of the kind diseased through such territory under such regulations
133 as the Board of Live Stock Commissioners may prescribe, and the Governor
134 approve.

135 "Section 6. Nothing contained in this act, or any section thereof, shall be
136 interpreted so as to prevent the removal or shipment of diseased or exposed
137 animals, under the orders of the Board created by this act, from one place to

138 another by said Board or its agents, by driving along the public highway or
 139 shipment on cars or steamboats, when, in the opinion of said Board such
 140 removal is necessary for the suppression of such contagious and infectious
 141 disease.

142 "Section 7. Whenever quarantine is established in accordance with the
 143 provisions of section 2 of this act, valid notice of the same may be given by
 144 leaving with the owner or occupant of any premises in person, or delivering to
 145 any member of his family, or any employe over the age of ten years found on
 146 the premises so quarantined, notice thereof, written or printed, or partly written
 147 and partly printed, and, at the same time, explaining the contents thereof.
 148 Such quarantine shall be sufficiently proven in any court by the production of
 149 a true copy of such notice of quarantine with a return thereon, of the service
 150 of the same in the manner above required. Any person violating said
 151 quarantine shall be guilty of a misdemeanor and punished as is provided for in
 152 section 4 of this act, and, on conviction, shall be liable for all damage that
 153 may result to other persons in consequence of such violation: *Provided*, that
 154 any one feeling himself aggrieved by such quarantine may appeal to the full
 155 Board of Commissioners, who shall thereupon sustain, modify or annul said
 156 quarantine as they deem proper.

157 "Section 8. All fines recovered under the provisions of this act shall be
 158 paid into the county treasury of the county in which the suit is tried, by the
 159 person collecting the same, in the manner now provided by law, to be used
 160 for county purposes; and it shall be the duty of State's Attorneys in their
 161 respective counties, to prosecute for all violations of this act.

162 "Section 9. All claims against the State arising from the slaughter of
 163 animals, as herein provided for, shall be made to said Board of Commissioners,
 164 under such rules and regulations as they may prescribe, and it shall be the
 165 duty of said Board of Commissioners to determine the amount which shall be
 166 paid in each case on account of animals so slaughtered, which, in cases of
 167 animals of the bovine species, shall be based on the fair cash market value
 168 thereof for beef, or for use for dairy purposes, not to exceed \$75 per

169 head; and, in cases of animals of the equine species, on their fair cash market
 170 value, not to exceed \$100 per head, and report the same to the Governor;
 171 and the Governor shall endorse thereon his order to the State Auditor, who
 172 shall thereupon issue his warrant on the State Treasurer for the same.

173 Section 10. Said Board of Commissioners, or any member thereof, and the
 174 State Veterinarian and his assistants, in the performance of their duties
 175 under this act shall have power to call on sheriffs and their deputies, constables
 176 and peace officers, mayors of cities, city and town marshals and
 177 policemen to assist them in carrying out its provisions, and it is hereby made
 178 the duty of all such officers to assist in carrying out the provisions of this act
 179 when ordered so to do; and said Commissioners and the State Veterinarian
 180 and his assistants, shall have, while engaged in carrying out the provisions of
 181 this act, the same powers and protection that other peace officers have, and any
 182 such officer who fails or refuses to enforce the lawful orders and quarantine
 183 of said Board, or any member thereof, or any veterinarian acting under them,
 184 in the proper execution of the powers conferred by this act, shall be deemed
 185 guilty of a misdemeanor and punished as provided in section 4, of this act.

186 Section 11. The said Board shall co operate with any Commissioner, or other
 187 officer, appointed by the United States for the suppression of contagious
 188 diseases among domestic animals, so far as the provisions of this act and the
 189 appropriations made in accordance therewith will allow, in suppressing and
 190 preventing the spread of contagious and infectious diseases among domestic
 191 animals in this State.

192 Section 12. It shall be the duty of said Board of Commissioners to keep
 193 a record of all their acts and proceedings, and report the same to the
 194 Governor annually, or oftener if required, for publication. The annual report
 195 shall include an itemized statement of all sums expended by them under this
 196 act, including a statement of all damages recommended by them to be paid
 197 for all animals slaughtered, and the amounts paid therefor.

198 Section 13. The members of said board shall each receive the sum of \$5
 199 per day for each day necessarily employed in the discharge of their duties,

200 their necessary traveling expenses, and other incidental expenses necessarily
201 incurred in the performance of their duties under this act, to be paid on
202 certified and itemized vouchers to be approved by the Governor.

203 "Section 14. All acts and parts of acts inconsistent herewith are hereby
204 repealed.

205 "Section 15. Whereas, the Live Stock Commissioners are without power to sup
206 press contagious and infectious diseases now existing among live stock in the State
207 of Illinois under the present law, therefore an emergency exists and this act
208 shall take effect from and after its passage."

1. Introduced by Mr. Cochran, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back March 26 with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the practice of Veterinary Medicine and Surgery in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That no person shall practice veterinary medicine and surgery, or any branch thereof, in this State for compensation, or shall, either directly or indirectly, receive or accept for his services as a practitioner of veterinary medicine or surgery any fee or reward, except he be duly registered as hereinafter provided in the book for that purpose in the office of the county clerk of the county in which he resides.

§ 2. No person shall be entitled to register as such practitioner unless he be a graduate of a legally chartered or incorporated college or university or shall hold a certificate of qualification from a legally incorporated veterinary society, organized at least one year before the passage of this act, and such certificate shall be issued at least one year previous to January first, eighteen hundred and eighty-seven, except as provided for in section three (3) of this act.

§ 3. Any person who has been continuously practicing veterinary medicine and surgery in this State for a period of not less than three years immediately preceding the passage of this act, without having obtained a diploma or certificate from a legally chartered or incorporated veterinary college, university

5 or society as provided for in section two of this act, must register within six
6 months after the taking effect of this act, upon making and filing with the
7 county clerk of the county in which he resides, an affidavit stating that he
8 has been so continuously practicing veterinary medicine and surgery for the
9 period hereinbefore prescribed.

1 § 4. The county clerk of each county of this State shall provide a book,
2 to be known as the "Veterinary Medical Register," in which shall be recorded
3 the name of the registrant, the name of the college or university granting
4 his diploma, or if the society granting his certificate, or, should the applicant
5 not present such diploma or certificate, then the clerk shall file the affidavit
6 prescribed in section three of this act, after which such applicant must register
7 in like manner as if he had presented a diploma or a certificate from a
8 veterinary college, university or society, and shall then be entitled to continue
9 the practice of veterinary medicine and surgery. Every applicant who shall
10 have complied with the foregoing provisions and shall be admitted to registra-
11 tion, shall pay to the county clerk the sum of one dollar, which shall be
12 received as full compensation for such registration.

1 § 5. Any person who shall present to the county clerk for the purpose
2 of registration, any diploma or certificate which has been fraudulently
3 obtained, or shall practice veterinary medicine and surgery without con-
4 forming to the requirements of this act, or shall otherwise violate or neglect
5 to comply with any of the provisions of this act, shall be guilty of a mis-
6 demeanor, and shall, for each and every offense, be punished by a fine of not
7 less than ten dollars nor more than one hundred dollars, or by imprison-
8 ment in the county jail for a term of not less than ninety days nor more
9 than one year, or by both fine and imprisonment. But nothing in this
10 act shall be construed to prohibit students from prescribing under the
11 supervision of preceptors, to prohibit gratuitous services in case of emergency,
12 or to prohibit the services of an authorized practitioner of a neighboring
13 State when incidentally called into requisition.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 131, PROPOSED
BY COMMITTEE ON AGRICULTURE AND DRAINAGE.

Amend by striking out all after style of bill in section one (1) and
insert the following.

"That no person shall advertise himself to practice veterinary medicine
and surgery, or any branch thereof, in this State, except he be duly
registered as hereinafter provided in a book for that purpose in the office
of the county clerk of the county in which he resides.

Strike out all after the word "construed" in 5th line from the last to
the word "to" in 3rd line from last.

1. Introduced by Mr. Monahan, January 26, 1887, and ordered to first reading.
2. First reading January 26, and referred to Committee on Municipalities.
3. Reported back March 17, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two (2) of an act entitled "An act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof and in that behalf to make and collect special assessment or special tax on contiguous property," approved and in force April 9, 1879, as amended June 26, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section two (2) of an act entitled "An Act
3 to enable park commissioners or corporate authorities to take, regulate,
4 control and improve public streets leading to public parks, to pay for the
5 improvement thereof, and in that behalf to make and collect special assess-
6 ment or special tax on contiguous property," approved and in force April
7 9, 1879, as amended June 26, 1885, be and the same is hereby amended
18 so as to read as follows:

9 "Section 2. That such park commissioners, or such corporate authorities
10 as are by law authorized to levy taxes or assessments for the maintenance
11 of such parks, shall have power to improve, maintain and repair such
12 street or streets in such manner as they may deem best, and for that
13 purpose they are hereby authorized to pay for the improvement thereof,
14 and from time to time to levy or cause to be levied and collected a special

15 tax or assessment on contiguous property abutting upon such street so
16 improved for a sum of money not exceeding the estimated cost of such
17 first improvement or improvements, as shall be ordered and estimated by
18 such board of park commissioners, but not for any subsequent care, main-
19 tenance or repair thereof; and to that end such board or corporate author-
20 ities shall have all the power and authority now or hereafter granted to
21 them respectively, relative to the levy, assessment and collection of taxes,
22 or assessments for corporate purposes; and such special tax or assessments
23 as are hereby authorized may be divided into not exceeding four annual
24 installments, bearing interest at the rate of six per cent per annum from
25 the date of confirmation until paid; and the assessments or installments
26 thereof shall be collected and enforced in the same manner as is provided by law
27 for the collection and enforcement of other taxes or assessments for, or on
28 account of such corporate bodies or boards as aforesaid, so far as the same
29 are applicable.

1. Introduced by Mr. Hogan, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 16, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges, in counties not under township organization, and to repeal an act and parts of acts thereto named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any persons, traveling with any carriages, shall meet on any turnpike road or public highway in this State, the persons so meeting shall seasonably turn their carriages to the right of the beaten track, so as to permit each carriage to pass without interfering or interrupting, under the penalty of five dollars for every neglect or offense, to be recovered by the party aggrieved: *Provided,* this section shall not be construed to apply to a case where it is impracticable from the nature of the ground for the driver of the carriage or wagon to turn to the right of the beaten track.

§ 2. No person owning any carriage, running or traveling upon any road in this state for the conveyance of passengers, shall knowingly employ, or continue in employment, any person to drive such carriage who is addicted to drunkenness or the excessive use of spirituous liquors; and if any such owner shall violate the provisions of this section, after he shall have had notice and reasonable proof that such driver is addicted to drunkenness, he shall forfeit at the rate of five dollars per day for all the time during

8 which thereafter he shall keep such driver in his employment, to be sued
 9 for by any person, and collected in any court having competent jurisdic-
 10 tion, and the court may allow a portion of said penalty, not exceeding \$25,
 11 to be retained by such complainant, as a compensation for his services and
 12 expenses, the balance to be paid to the road treasury of the district where
 13 such offense was committed. Any person driving his own team, or the team
 14 of another, on the public highway when intoxicated, shall be subject to a
 15 fine of not less than three dollars, nor more than twenty five dollars, for
 16 each offense.

§ 3. If any driver, while actually employed in driving any such carriage
 2 shall be guilty of intoxication to such a degree as to endanger the safety
 3 of the passengers in the carriage, it shall be the duty of the owner of such
 4 carriage, on receiving written notice of the fact, signed by any one of said
 5 passengers, and certified by him on oath, forthwith to discharge such driver
 6 from his employment; and every such owner who shall retain, or have in
 7 his employ, within thirty days after the receipt of such notice, any driver
 8 who shall have been so intoxicated, shall forfeit at the rate of five dollars
 9 per day for the time during which he shall keep any such driver in his
 10 employment after receiving such notice, to be sued for and applied to
 11 directed in section two, of this act.

§ 4. No person driving any carriage upon any turnpike road or public
 2 highway within this State, with or without passengers therein, shall run his
 3 horses or carriage, or permit the same to run, upon any occasion, or for any
 4 purpose whatever, except in case of necessity; and every person who shall
 5 offend against the provisions of this section shall be deemed guilty of a
 6 misdemeanor, and, on conviction thereof, shall be fined not exceeding \$100
 7 or imprisoned not exceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage, used for the
 2 purpose of conveying passengers for hire, to leave the horses attached thereto
 3 while passengers remain therein, without making such horses fast with a
 4 sufficient halter, rope or chain, or by placing the lines in the hands of some
 5 other person, so as to prevent their running; and if any such driver shall

6 offend against the provisions of this section, he shall forfeit the sum of \$20,
7 to be recovered by action to be commenced within six months; and unless
8 the amount of such recovery be paid forthwith, execution shall be imme-
9 diately issued thereon.

§ 6. The owner of every carriage running upon any turnpike, road or
2 public highway, for the conveyance of passengers, shall be liable, jointly or
3 severally, to the party injured, in all cases, for all injuries or damages done
4 by any person in the employment of such owners as a driver, while driving
5 such carriage, to any person, or to the property of any person, and that
6 whenever the act occasioning such injury or damage be willful, negligent
7 or otherwise, in the same manner as such driver would be liable. Any driver
8 of any mail stage coach, or any other vehicle for the conveyance of passen-
9 gers, willfully offending against the provisions of this act, shall be deemed
10 guilty of a misdemeanor, and, on conviction thereof, shall be fined not
11 exceeding \$500, or imprisoned not exceeding four months.

§ 7. The term "carriage," as used in this act, shall be construed to
2 include stage coaches, wagons, carts, sleighs, sleds and every other carriage
3 or vehicle used for the transportation of passengers and goods, or either
4 of them.

§ 8. Nothing contained in this act shall interfere with or affect any
2 law concerning hackney coaches or carriages in any of the cities of this
3 State, nor interfere with nor affect the laws or ordinances of any such city
4 for the licensing or regulating such coaches or carriages. Justices of the
5 peace shall have jurisdiction in all cases arising under this act, where the
6 penalty does not exceed their jurisdiction.

§ 9. For destroying or defacing any guide-board, post, or mile-stone, or
2 any notice or direction put up on any bridge or otherwise, by or with the
3 authority of the commissioners of highways, the offender shall forfeit a
4 sum not less than three dollars, nor more than fifty dollars.

§ 10. If any person shall injure or obstruct a public road by falling a tree
2 or trees in, upon or across the same, or by placing or leaving any other
3 obstruction thereon, or encroaching upon the same with any fence, or by

4 plowing or digging any ditch or other opening thereon, or by turning a
 5 current of water so as to saturate or wash the same, or shall leave the
 6 cuttings of any hedge thereon, for more than ten days, they shall forfeit
 7 for every such offense a sum not less than three dollars, nor more than
 8 ten dollars; and in case of placing any obstruction on the highway, an
 9 additional sum of not exceeding three dollars per day for every day he
 10 shall suffer such obstruction to remain after he has been ordered to remove
 11 the same by any of the commissioners; complaint to be made by any person
 12 feeling himself aggrieved: *Provided*, this section shall not apply to any
 13 person who shall lawfully fall any tree for use, and will immediately remove
 14 the same out of the road, nor to any person through whose land a public
 15 road may pass, who shall desire to drain his land, and shall give due notice
 16 to the commissioners of such intention: *And, provided further*, that the
 17 commissioners after having given reasonable notice to the owners of the
 18 obstruction, or person so obstructing or plowing or digging ditches upon
 19 such road, of the obstruction, may remove any such fence or other obstruc-
 20 tion, fill up any such ditch or excavation, except ditches necessary to the
 21 drainage of an adjoining farm, emptying into a ditch upon the highway,
 22 and recover the necessary cost of such removal from such owner or other
 23 person obstructing such road aforesaid, to be collected by said Commissioners
 14 before any justice of the peace having jurisdiction.

§ 11. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive
 3 matter, and any person so offending, shall be liable to a penalty of not less
 4 than three dollars, nor more than ten dollars; but this shall not apply
 5 where proper deposits may be made in good faith and in a proper manner
 6 to repair the roads.

§ 12. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same

§ 13. All suits for the recovery of any fine or penalty under this act shall
 2 be brought in the name of the district in which the offense is committed,
 3 before any justice of the peace or police magistrate within the district, who shall
 4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases, and it shall be the duty of the commissioners to seasonably prosecute
 6 for all fines and penalties under this act, but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided*,
 8 said person shall, before bringing suit in the name of the district, give a bond
 9 for costs, as is provided for in the case of non residents. But whenever
 10 any person shall enter complaint to any road commissioner it shall be the
 11 duty of such commissioner to at once proceed to investigate as to the
 12 reasons of such complaint, and if such complaint is found to be just he
 13 shall at once proceed to prosecution: *Provided, further*, that the commis-
 14 sioners may sue and be sued on all contracts entered into by them for the con-
 15 struction and repairing of roads and bridges, and the judgment in any
 16 such case against the commissioners shall be a district charge.

§ 14. All fines recovered under the provisions of this act, unless other
 2 wise provided, shall be paid over to the treasurer of the commissioners of
 3 the district where the offense is committed, to be expended upon the roads
 4 and bridges in said district.

§ 15. Any person owning, using or occupying lands on both sides of any
 2 public highway, shall be entitled to the privilege of making a crossing
 3 under said highway for the purpose of letting his cattle and other domestic
 4 animals cross said road: *Provided*, said person shall erect, at his own
 5 expense, a good and substantial bridge, with good railings on each side
 6 thereof, and build an embankment, of easy grade, on either side of said
 7 bridge; said bridge to be not less than sixteen feet wide, and to be approved
 8 by the commissioners of the district in which said bridge is built, and the
 9 same to be kept constantly in good repair by the owner or occupant of said
 10 land, the construction subject always to the consent and approval of the
 11 commissioners of said district: *And provided, further*, that in case such

12 crossing is made on any water-way or natural channel for water and where
 13 a culvert or bridge is maintained as required for road purposes, said owners
 14 or occupants shall not be required to pay for or construct any more of
 15 said crossing than the additional cost of such crossing over and above the
 16 necessary cost of a suitable culvert or bridge for road purposes at such place.

§ 16. It shall be the duty of the county boards of the several counties
 2 at their first session after this act shall be in force and take effect, to
 3 divide the county into road districts, where it is practicable, to be composed
 4 of territory not less than a congressional township; fractional or whole
 5 townships may be attached to other fractional or whole townships. The
 6 districts so formed shall be designated by some number.

§ 17. The corporate name of each district shall be, Road District No. . . .
 2 and all acts done by the district, and all actions by or against the district
 3 shall be in its corporate name.

§ 18. Every district so organized shall have corporate capacity to exercise
 2 the powers granted thereto, or necessarily implied and no others. It shall
 3 have power: 1. To sue and be sued. 2. To acquire by purchase, gift or
 4 devise, and to hold property, both real and personal, for the use of its
 5 inhabitants, and again to sell and convey the same. 3. To make all such
 6 contracts as may be necessary in the exercise of the powers of the district.

§ 19. For the purpose of carrying into effect the provisions of this act,
 2 there shall be elected in each district, three commissioners of highways and
 3 one district clerk, (who shall be *ex-officio* treasurer of said board), who shall
 4 hold their respective offices for the term of three years, and until their
 5 successors are elected and qualified: *Provided*, that of the commissioners of
 6 highways elected at the first election one shall hold his office for one year,
 7 and one for two years, and the other for three years, to be determined
 8 between them by lot before entering upon the duties of their office, and
 9 until their respective successors are elected and qualified.

§ 20. The county board shall, at least twenty days before the first Tues-
 2 day in March, next after the passage of this act, designate some central and
 3 convenient place in each district for the holding of the first district election.

1 and shall also appoint three suitable electors of the district as judges of
 2 election. After the canvass of the votes, the judges shall make returns as
 3 provided in the general election law of this State, to the county clerk, who
 4 shall make a canvass of the votes, and immediately notify the persons elected
 5 of their election. The expenses of the first election shall be paid by the
 6 county.

§ 21. The county clerk shall thereupon make out notices, stating the time
 2 which shall be the first Tuesday in March thereafter, and place of holding
 3 the first district election, and the names of the judges of election so appointed,
 4 and deliver such notices to the sheriff of the county, who shall cause the
 5 same to be posted in not less than three of the most public places of the
 6 district, and not less than fifteen days before the time of holding such
 7 election.

§ 22. The district elections shall be conducted in the same manner, and
 2 subject to the same laws and regulations as prescribed for general elections.
 3 *Provided*, that no registration of voters shall be required.

§ 23. All persons possessing the qualifications of voters, who reside within
 2 the boundaries prescribed for such district, and do not reside within the
 3 corporate limits of any village or city, shall be entitled to vote at such
 4 election.

§ 24. The annual election for district officers shall be held on the first
 2 Tuesday of March, of each year, at the place designated by the commissioners
 3 of highways. The commissioners shall be *ex officio* judges, and the clerk shall
 4 be *ex officio* clerk of all district elections, but before entering upon the
 5 discharge of their duties, they shall take the oath of office prescribed by the
 6 general election law of the State. In the absence of any of the above named
 7 officers, the vacancy shall be filled by appointment by the commissioners
 8 present, and in case there is no commissioner present, the electors present
 9 shall appoint such judges.

§ 25. Notice of the time and place of holding any annual or special
 2 election, shall be given by the district clerk, or, in his absence, by the
 3 commissioners, by posting written or printed notices in at least three of the

1 most public places in the district, at least fifteen days prior to such election.

2 § 26. The judges shall, immediately upon closing the polls, make a canvas
3 of the votes polled in the manner provided by the general election law of the
4 State, and make a written statement or certificate of the number of votes
5 cast at such election for each person or proposition voted for, and the office
6 for which such person received such vote, and shall, within forty eight hours
7 thereafter, cause such certificate and poll list, together with the ballots cast
8 at such election, to be separately sealed up and transmitted to the district
9 clerk, to be filed and preserved by him.

1 § 27. The commissioners of highways, together with some justice of the
2 peace to be by them selected, and the district clerk, shall, within five days
3 after any election is held, meet and canvas said returns, and declare the result
4 of said election. The canvas being completed, a statement of the result shall
5 be entered at large by the clerk of the meeting in the minutes of the
6 proceedings, to be kept by him as required by this act, which shall be publicly
7 read by him to the meeting; and such reading shall be deemed notice of the
8 result of the election, to every person whose name shall be entered on the
9 poll list as a voter.

1 § 28. In case two or more persons shall have an equal number of votes for
2 the same office, the question of which shall be entitled to the office shall be
3 decided by lot, under direction of the district clerk, but he shall give each
4 party at least five days' notice of the time and place of drawing lots.

1 § 29. The clerk of every meeting held pursuant to section 27, of this act,
2 shall, within ten days thereafter, transmit to each person elected to any
3 district office, a notice of his election. He shall also file in the office of
4 the county clerk a list of the names of all district officers elected at such
5 election, who have qualified, within twenty days after such election, shall
6 be held.

1 § 30. No person shall be eligible to any district office unless he shall be a
2 legal voter, and have been one year a resident of said district.

1 § 31. Every person elected or appointed to the office of commissioner of
2 highways or clerk, before he enters upon the duties of his office, and within ten

3 days after he shall be notified of his election or appointment, shall take and subscribe before some justice of the peace or district clerk, the oath or affirmation of office prescribed by the constitution, which shall within five days thereafter be filed in the office of the district clerk.

§ 42. If any person elected or appointed to either of the offices above enumerated shall neglect to take and subscribe such oath, and cause the certificate to be filed as above required, such neglect shall be deemed a refusal to serve. If any person elected or appointed, shall refuse to serve, he shall forfeit to the district the sum of \$25.

§ 43. If any district officer who is by law required to take the oath of office, shall enter upon the duties of his office before he shall have taken such oath, he shall forfeit to the district the sum of \$50.

§ 44. The clerk as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on an order signed by not less than two of the commissioners, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of moneys likely to come into his hands with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the district, to be approved by the commissioners of highways, and filed in the office of the county clerk with such approval endorsed thereon. *Provided,* that if from any cause the commissioners of highways shall deem the bond so given insufficient, they may require a new bond. *And, provided, further,* that the commissioners shall have the right to fix any other sum to be required in any new bond so given.

§ 45. The board of commissioners of highways shall have power to remove the district clerk at any time for any failure or refusal to execute or comply with any order or requisition of said board, legally made, or for any

- 1 other improper conduct in the discharge of his duties as clerk or treasurer.
- 5 They shall have power, for any failure or refusal as aforesaid, to sue him
- 6 upon his bond.

§ 36. If any person elected or appointed to the office of clerk and *ex officio*
 2 treasurer shall not give such security and take such oath as is required,
 3 within ten days after receiving notice of his election or appointment, such
 4 neglect shall be deemed a refusal to serve.

§ 37. When the term of any commissioner of highways or clerk shall
 2 expire, and other persons shall be appointed to such office, it shall be the
 3 duty of such successor, immediately after he shall have entered upon the
 4 duties of his office, to demand of his predecessor all the books, papers,
 5 moneys and other property under his control, belonging to such office.

§ 38. Whenever either of the officers above named shall resign, or the
 2 office become vacant in anyway, and another person shall be elected, or
 3 appointed in his stead, the person so elected or appointed shall make such
 4 demand of his predecessor, or of any person having charge of such books,
 5 papers, moneys or other property.

§ 39. It shall be the duty of every person so going out of office, whenever
 2 thereto required pursuant to the foregoing provisions, to deliver up, on oath,
 3 all the records, books, papers, moneys and other property in his possession
 4 or in his control belonging to the office held by him; which oath may be
 5 administered by the officer to whom such delivery shall be made.

§ 40. Whenever any district shall fail to elect the proper number of dis-
 2 trict officers to which such district may be entitled by law, or when any
 3 person elected to any district office shall fail to qualify, or whenever any
 4 vacancy shall happen in any district, from death, resignation, removal from
 5 the district, or other cause, it shall be the duty of the county board, to fill
 6 such vacancy by certificate under the hand and seal of the county clerk,
 7 and the persons so appointed shall hold their respective offices until the
 8 next annual election, and until their successors are elected and qualified;
 9 and shall have the same powers and be subject to the same duties and pen-
 10 alties as if they had been duly elected by the electors.

§ 41. When any appointment shall be made, as provided in section 40, of this act, the county clerk shall cause the certificate of appointment to be forthwith filed in the office of the district clerk, who shall immediately give notice to each person appointed.

§ 42. Any justice of the peace residing in such district, may, for sufficient cause shown to him, accept the resignation of any district officer of his district, and whenever he shall accept any such resignation, he shall forthwith give notice thereof to the district clerk of the district, or in his absence, to the president of the board of commissioners of highways, who shall make a minute thereof upon the district records. He shall also immediately give notice to the county clerk of any vacancy that may exist in any district office.

§ 43. The district clerk shall have the custody of all records, books and papers of the district, and he shall duly file all certificates or oaths and other papers required by law to be filed in his office. He is authorized to administer oaths and take affidavits in all cases required by law to be administered or taken by district officers.

§ 44. He shall record in the book of records of his district, the minutes of the proceedings of every meeting of the board of commissioners of highways held therein, and shall enter in said book every order or direction, and all by-laws, rules and regulations made by said board at any meeting. All records and books required by law to be kept by such clerks, shall be deemed public records and shall at all times be open to inspection without fee or reward.

§ 45. He shall annually, at the time required by law, certify to the county clerk the amount of taxes required to be raised for district purposes; and if any clerk shall refuse or wilfully omit to make such return, he shall be fined for each offense not exceeding \$10.

§ 46. Copies of all papers, duly filed in the office of district clerk, and transcripts from the district records certified by him, shall be evidence in all courts with like effect as if the originals were produced.

§ 47. The district clerk shall, from time to time, as may be necessary, procure
 2 the proper books and stationery for his office, and the cost thereof shall be paid
 3 out of the district treasury.

§ 48. It shall be the duty of the district clerk as *ex officio* treasurer to receive
 2 all moneys due the district, and pay out the same as provided in section 34 of
 3 this act. He shall also on the second Tuesday of March, present to the board
 4 of commissioners of highways an itemized statement of receipts and disburse-
 5 ments, which shall be sworn to. The board shall carefully audit the accounts
 6 so presented, and if found correct, approve the same and cause such statement
 7 to be published as now provided by chapter 102, of the Revised Statutes.

§ 49. The following compensation shall be allowed to the officers provided
 2 for by this act: 1. The commissioners of highways shall each receive for
 3 each day necessarily employed in the discharge of their duties, the sum of
 4 one and a half dollars, upon a sworn statement to be filed by each commis-
 5 sioner in the district clerk's office, showing the number of days he was em-
 6 ployed, and the kind of employment, and giving the dates thereof. 2. The
 7 justice of the peace required by this act to assist in canvassing the vote
 8 shall receive the sum of one and a half dollars per day for his services.
 9 3. The district clerk shall receive one and a half dollars per day for each
 10 day he shall be in attendance at a meeting of the board, and the same
 11 amount per day, for the time he shall be employed as clerk of election, or
 12 in canvassing the returns of such election. He shall receive no other per-
 13 diem. In addition to the above he shall also receive fees for the following
 14 services, to be paid out of the district funds, except where otherwise spec-
 15 ified: For serving notice of election or appointment upon district officers,
 16 as required by this act, twenty-five cents each. For posting up notices re-
 17 quired by law, twenty-five cents each. For copying any record in his office
 18 and certifying to the same, ten cents for every one hundred words, to be
 19 paid by the person applying for the same. Such clerk shall also, as treas-
 20 urer, receive one per cent. on all moneys received, not received from his pre-
 21 decessor, and one per cent on all moneys paid out, not paid to his successor.



1. Introduced by Mr. Cochran, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back March 26 with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the practice of Veterinary Medicine and Surgery in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That no person shall practice veterinary medicine and surgery, or any branch thereof, in this State for compensation, or shall, either directly or indirectly, receive or accept for his services as a practitioner of veterinary medicine or surgery any fee or reward, except he be duly registered as hereinafter provided in the book for that purpose in the office of the county clerk of the county in which he resides.

§ 2. No person shall be entitled to register as such practitioner unless he be a graduate of a legally chartered or incorporated college or university or shall hold a certificate of qualification from a legally incorporated veterinary society, organized at least one year before the passage of this act, and such certificate shall be issued at least one year previous to January first, eighteen hundred and eighty-seven, except as provided for in section three (3) of this act.

§ 3. Any person who has been continuously practicing veterinary medicine and surgery in this State for a period of not less than three years immediately preceding the passage of this act, without having obtained a diploma or certificate from a legally chartered or incorporated veterinary college, university

5 or society as provided for in section two of this act, must register within six
6 months after the taking effect of this act, upon making and filing with the
7 county clerk of the county in which he resides, an affidavit stating that he
8 has been so continuously practicing veterinary medicine and surgery for the
9 period hereinbefore prescribed.

§ 4. The county clerk of each county of this State shall provide a book,
2 to be known as the "Veterinary Medical Register," in which shall be recorded
3 the name of the registrant, the name of the college or university granting
4 his diploma, or if the society granting his certificate; or, should the applicant
5 not present such diploma or certificate, then the clerk shall file the affidavit
6 prescribed in section three of this act, after which such applicant must register
7 in like manner as if he had presented a diploma or a certificate from a
8 veterinary college, university or society, and shall then be entitled to continue
9 the practice of veterinary medicine and surgery. Every applicant who shall
10 have complied with the foregoing provisions and shall be admitted to registra-
11 tion, shall pay to the county clerk the sum of one dollar, which shall be
12 received as full compensation for such registration.

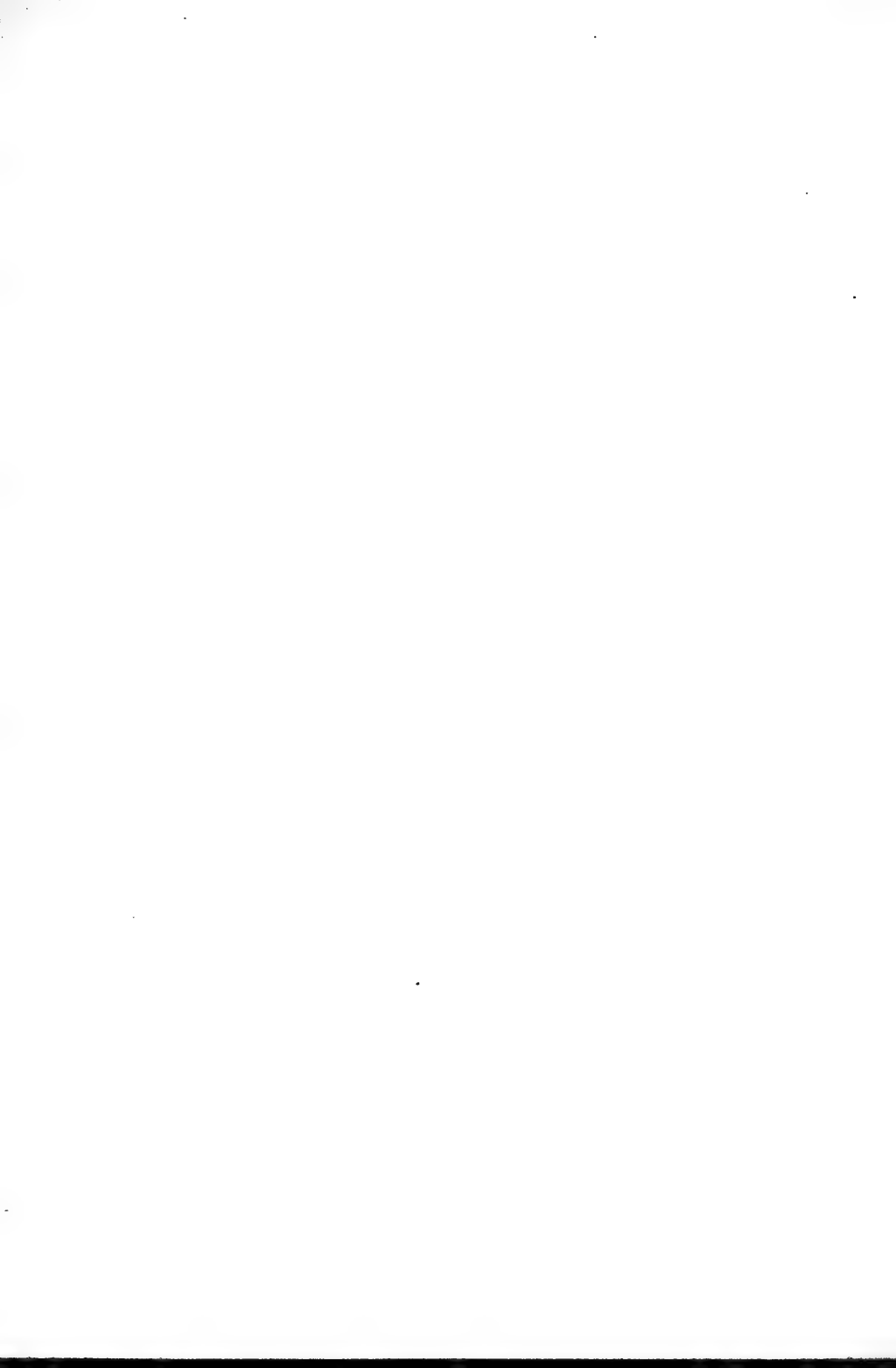
§ 5. Any person who shall present to the county clerk for the purpose
2 of registration, any diploma or certificate which has been fraudulently
3 obtained, or shall practice veterinary medicine and surgery without con-
4 forming to the requirements of this act, or shall otherwise violate or neglect
5 to comply with any of the provisions of this act, shall be guilty of a mis-
6 demeanor, and shall, for each and every offense, be punished by a fine of not
7 less than ten dollars nor more than one hundred dollars, or by imprison-
8 ment in the county jail for a term of not less than ninety days nor more
9 than one year, or by both fine and imprisonment. But nothing in this
10 act shall be construed to prohibit students from prescribing under the
11 supervision of preceptors, to prohibit gratuitous services in case of emergency,
12 or to prohibit the services of an authorized practitioner of a neighboring
13 State when incidentally called into requisition.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 131, PROPOSED
BY COMMITTEE ON AGRICULTURE AND DRAINAGE.

Amend by striking out all after style of bill in section one (1) and
insert the following:

"That no person shall advertise himself to practice veterinary medicine
and surgery, or any branch thereof, in this State, except he be duly
registered as hereinafter provided in a book for that purpose in the office
of the county clerk of the county in which he resides."

Strike out all after the word "construed" in 5th line from the last to
the word "to" in 3rd line from last.



1. Introduced by. Mr. Monahan, January 26, 1887, and ordered to first reading.
2. First reading January 26, and referred to Committee on Municipalities.
3. Reported back March 17, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two (2) of an act entitled "An act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof and in that behalf to make and collect special assessment or special tax on contiguous property," approved and in force April 9, 1879, as amended June 26, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of an act entitled "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect special assessment or special tax on contiguous property," approved and in force April 9, 1879, as amended June 26, 1885, be and the same is hereby amended so as to read as follows:

9 "Section 2. That such park commissioners, or such corporate authorities
10 as are by law authorized to levy taxes or assessments for the maintenance
11 of such parks, shall have power to improve, maintain and repair such
12 street or streets in such manner as they may deem best, and for that
13 purpose they are hereby authorized to pay for the improvement thereof,
14 and from time to time to levy or cause to be levied and collected a special

15 tax or assessment on contiguous property abutting upon such street so
16 improved for a sum of money not exceeding the estimated cost of such
17 first improvement or improvements, as shall be ordered and estimated by
18 such board of park commissioners, but not for any subsequent care, main-
19 tenance or repair thereof; and to that end such board or corporate author-
20 ities shall have all the power and authority now or hereafter granted to
21 them respectively, relative to the levy, assessment and collection of taxes,
22 or assessments for corporate purposes; and such special tax or assessments
23 as are hereby authorized may be divided into not exceeding four annual
24 installments, bearing interest at the rate of six per cent per annum from
25 the date of confirmation until paid; and the assessments or installments
26 thereof shall be collected and enforced in the same manner as is provided by law
27 for the collection and enforcement of other taxes or assessments for, or on
28 account of such corporate bodies or boards as aforesaid, so far as the same
29 are applicable.

1. Introduced by Mr. Hogan, January 26, 1887, and ordered to first reading.
2. First reading January 26, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 16, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges, in counties not under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any persons, traveling with any carriages, shall meet on any turnpike road or public highway in this State, the persons so meeting shall seasonably turn their carriages to the right of the beaten track, so as to permit each carriage to pass without interfering or interrupting, under the penalty of five dollars for every neglect or offense, to be recovered by the party aggrieved: *Provided*, this section shall not be construed to apply to a case where it is impracticable from the nature of the ground for the driver of the carriage or wagon to turn to the right of the beaten track.

§ 2. No person owning any carriage, running or traveling upon any road in this state for the conveyance of passengers, shall knowingly employ, or continue in employment, any person to drive such carriage who is addicted to drunkenness or the excessive use of spirituous liquors; and if any such owner shall violate the provisions of this section, after he shall have had notice and reasonable proof that such driver is addicted to drunkenness, he shall forfeit at the rate of five dollars per day for all the time during

8 which thereafter he shall keep such driver in his employment, to be sued
9 for by any person, and collected in any court having competent jurisdiction;
10 and the court may allow a portion of said penalty, not exceeding \$25,
11 to be retained by such complainant, as a compensation for his services and
12 expenses; the balance to be paid to the road treasury of the district where
13 such offense was committed. Any person driving his own team, or the team
14 of another, on the public highway when intoxicated, shall be subject to a
15 fine of not less than three dollars, nor more than twenty-five dollars, for
16 each offense.

§ 3. If any driver, while actually employed in driving any such carriage
2 shall be guilty of intoxication to such a degree as to endanger the safety
3 of the passengers in the carriage, it shall be the duty of the owner of such
4 carriage, on receiving written notice of the fact, signed by any one of said
5 passengers, and certified by him on oath, forthwith to discharge such driver
6 from his employment; and every such owner who shall retain, or have in
7 his employ, within thirty days after the receipt of such notice, any driver
8 who shall have been so intoxicated, shall forfeit at the rate of five dollars
9 per day for the time during which he shall keep any such driver in his
10 employment after receiving such notice, to be sued for and applied as
11 directed in section two, of this act.

§ 4. No person driving any carriage upon any turnpike road or public
2 highway within this State, with or without passengers therein, shall run his
3 horses or carriage, or permit the same to run, upon any occasion, or for any
4 purpose whatever, except in case of necessity; and every person who shall
5 offend against the provisions of this section shall be deemed guilty of a
6 misdemeanor, and, on conviction thereof, shall be fined not exceeding \$100
7 or imprisoned not exceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage, used for the
2 purpose of conveying passengers for hire, to leave the horses attached thereto
3 while passengers remain therein, without making such horses fast with a
4 sufficient halter, rope or chain, or by placing the lines in the hands of some
5 other person, so as to prevent their running; and if any such driver shall

6 offend against the provisions of this section, he shall forfeit the sum of \$20,
7 to be recovered by action, to be commenced within six months; and unless
8 the amount of such recovery be paid forthwith, execution shall be imme-
9 diately issued therefor.

§ 6. The owner of every carriage running upon any turnpike, road or
2 public highway, for the conveyance of passengers, shall be liable, jointly or
3 severally, to the party injured, in all cases, for all injuries or damages done
4 by any person in the employment of such owners as a driver, while driving
5 such carriage, to any person, or to the property of any person, and that
6 whenever the act occasioning such injury or damage be willful, negligent
7 or otherwise, in the same manner as such driver would be liable. Any driver
8 of any mail stage coach, or any other vehicle for the conveyance of passen-
9 gers, willfully offending against the provisions of this act, shall be deemed
10 guilty of a misdemeanor, and, on conviction thereof, shall be fined not
11 exceeding \$300, or imprisoned not exceeding four months.

§ 7. The term "carriage," as used in this act, shall be construed to
2 include stage coaches, wagons, carts, sleighs, skeds and every other carriage
3 or vehicle used for the transportation of passengers and goods, or either
4 of them.

§ 8. Nothing contained in this act shall interfere with or affect any
2 law concerning hackney coaches or carriages in any of the cities of this
3 State, nor interfere with nor affect the laws or ordinances of any such city
4 for the licensing or regulating such coaches or carriages. Justices of the
5 peace shall have jurisdiction in all cases arising under this act, where the
6 penalty does not exceed their jurisdiction.

§ 9. For destroying or defacing any guide-board, post, or mile-stone, or
2 any notice or direction put up on any bridge or otherwise, by or with the
3 authority of the commissioners of highways, the offender shall forfeit a
4 sum not less than three dollars, nor more than fifty dollars.

§ 10. If any person shall injure or obstruct a public road by falling a tree
2 or trees in, upon or across the same, or by placing or leaving any other
3 obstruction thereon, or encroaching upon the same with any fence, or by

4 plowing or digging any ditch or other opening thereon, or by turning a
 5 current of water so as to saturate or wash the same, or shall leave the
 6 cuttings of any hedge thereon, for more than ten days, they shall forfeit
 7 for every such offense a sum not less than three dollars, nor more than
 8 ten dollars; and in case of placing any obstruction on the highway, an
 9 additional sum of not exceeding three dollars per day for every day he
 10 shall suffer such obstruction to remain after he has been ordered to remove
 11 the same by any of the commissioners; complaint to be made by any person
 12 feeling himself aggrieved: *Provided*, this section shall not apply to any
 13 person who shall lawfully fall any tree for use, and will immediately remove
 14 the same out of the road, nor to any person through whose land a public
 15 road may pass, who shall desire to drain his land, and shall give due notice
 16 to the commissioners of such intention: *And, provided further*, that the
 17 commissioners after having given reasonable notice (to the owners) of the
 18 obstruction, or person so obstructing or plowing or digging ditches upon
 19 such road, of the obstruction, may remove any such fence or other obstruc-
 20 tion, fill up any such ditch or excavation, except ditches necessary to the
 21 drainage of an adjoining farm, emptying into a ditch upon the highway,
 22 and recover the necessary cost of such removal from such owner or other
 23 person obstructing such road aforesaid, to be collected by said Commissioners
 14 before any justice of the peace having jurisdiction.

§ 11. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive
 3 matter, and any person so offending, shall be liable to a penalty of not less
 4 than three dollars, nor more than ten dollars; but this shall not apply
 5 where proper deposits may be made in good faith and in a proper manner
 6 to repair the roads.

§ 12. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same.

§ 13. All suits for the recovery of any fine or penalty under this act shall
 2 be brought in the name of the district in which the offense is committed,
 3 before any justice of the peace or police magistrate within the district, who shall
 4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases; and it shall be the duty of the commissioners to seasonably prosecute
 6 for all fines and penalties under this act; but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided*,
 8 said person shall, before bringing suit in the name of the district, give a bond
 9 for costs, as is provided for in the case of non-residents. But whenever
 10 any person shall enter complaint to any road commissioner it shall be the
 11 duty of such commissioner to at once proceed to investigate as to the
 12 reasons of such complaint, and if such complaint is found to be just he
 13 shall at once proceed to prosecution: *Provided, further*, that the commis-
 14 sioners may sue and be sued on all contracts entered into by them for the con-
 15 struction and repairing of roads and bridges, and the judgment in any
 16 such case against the commissioners shall be a district charge.

§ 14. All fines recovered under the provisions of this act, unless other-
 2 wise provided, shall be paid over to the treasurer of the commissioners of
 3 the district where the offense is committed, to be expended upon the roads
 4 and bridges in said district.

§ 15. Any person owning, using or occupying lands on both sides of any
 2 public highway, shall be entitled to the privilege of making a crossing
 3 under said highway for the purpose of letting his cattle and other domestic
 4 animals cross said road: *Provided*, said person shall erect, at his own
 5 expense, a good and substantial bridge, with good railings on each side
 6 thereof, and build an embankment, of easy grade, on either side of said
 7 bridge; said bridge to be not less than sixteen feet wide, and to be approved
 8 by the commissioners of the district in which said bridge is built, and the
 9 same to be kept constantly in good repair by the owner or occupant of said
 10 land, the construction subject always to the consent and approval of the
 11 commissioners of said district: *And provided, further*, that in case such

12 crossing is made on any water-way or natural channel for water and where
 13 a culvert or bridge is maintained as required for road purposes, said owners
 14 or occupants shall not be required to pay for or construct any more of
 15 said crossing than the additional cost of such crossing over and above the
 16 necessary cost of a suitable culvert or bridge for road purposes at such place.

§ 16. It shall be the duty of the county boards of the several counties,
 2 at their first session after this act shall be in force and take effect, to
 3 divide the county into road districts, where it is practicable, to be composed
 4 of territory not less than a congressional township; (fractional or whole
 5 townships may be attached to other fractional or whole townships). The
 6 districts so formed shall be designated by some number.

§ 17. The corporate name of each district shall be, Road District No. —,
 2 and all acts done by the district, and all actions by or against the district
 3 shall be in its corporate name.

§ 18. Every district so organized shall have corporate capacity to exercise
 2 the powers granted thereto, or necessarily implied and no others. It shall
 3 have power: 1. To sue and be sued. 2. To acquire by purchase, gift or
 4 devise, and to hold property, both real and personal, for the use of its
 5 inhabitants, and again to sell and convey the same. 3. To make all such
 6 contracts as may be necessary in the exercise of the powers of the district.

§ 19. For the purpose of carrying into effect the provisions of this act,
 2 there shall be elected in each district, three commissioners of highways and
 3 one district clerk, (who shall be *ex-officio* treasurer of said board), who shall
 4 hold their respective offices for the term of three years, and until their
 5 successors are elected and qualified: *Provided*, that of the commissioners of
 6 highways elected at the first election one shall hold his office for one year,
 7 and one for two years, and the other for three years, to be determined
 8 between them by lot before entering upon the duties of their office, and
 9 until their respective successors are elected and qualified.

§ 20. The county board shall, at least twenty days before the first Tues-
 2 day in March, next after the passage of this act, designate some central and
 3 convenient place in each district for the holding of the first district election.

4 and shall also appoint three suitable electors of the district as judges of
 5 election. After the canvass of the votes, the judges shall make returns as
 6 provided in the general election law of this State, to the county clerk, who
 7 shall make a canvass of the votes, and immediately notify the persons elected
 8 of their election. The expenses of the first election shall be paid by the
 9 county.

§ 21. The county clerk shall thereupon make out notices, stating the time
 2 (which shall be the first Tuesday in March thereafter), and place of holding
 3 the first district election, and the names of the judges of election so appointed,
 4 and deliver such notices to the sheriff of the county, who shall cause the
 5 same to be posted in not less than three of the most public places of the
 6 district, and not less than fifteen days before the time of holding such
 7 election.

§ 22. The district elections shall be conducted in the same manner, and
 2 subject to the same laws and regulations as prescribed for general elections:
 3 *Provided*, that no registration of voters shall be required.

§ 23. All persons possessing the qualifications of voters, who reside within
 2 the boundaries prescribed for such district, and do not reside within the
 3 corporate limits of any village or city, shall be entitled to vote at such
 4 election.

§ 24. The annual election for district officers shall be held on the first
 2 Tuesday of March, of each year, at the place designated by the commissioners
 3 of highways. The commissioners shall be *ex-officio* judges, and the clerk shall
 4 be *ex-officio* clerk of all district elections, but before entering upon the
 5 discharge of their duties, they shall take the oath of office prescribed by the
 6 general election law of the State. In the absence of any of the above named
 7 officers, the vacancy shall be filled by appointment by the commissioners
 8 present, and in case there is no commissioner present, the electors present
 9 shall appoint such judges.

§ 25. Notice of the time and place of holding any annual or special
 2 election, shall be given by the district clerk, or, in his absence, by the
 3 commissioners, by posting written or printed notices in at least three of the

4 most public places in the district, at least fifteen days prior to such election.

§ 26. The judges shall, immediately upon closing the polls, make a canvas
 2 of the votes polled in the manner provided by the general election law of the
 3 State, and make a written statement or certificate of the number of votes
 4 cast at such election for each person or proposition voted for, and the office
 5 for which such person received such vote, and shall, within forty-eight hours
 6 thereafter, cause such certificate and poll list, together with the ballots cast
 7 at such election, to be separately sealed up and transmitted to the district
 8 clerk, to be filed and preserved by him.

§ 27. The commissioners of highways, together with some justice of the
 2 peace to be by them selected, and the district clerk, shall, within five days
 3 after any election is held, meet and canvas said returns, and declare the result
 4 of said election. The canvas being completed, a statement of the result shall
 5 be entered at large by the clerk of the meeting in the minutes of the
 6 proceedings, to be kept by him as required by this act, which shall be publicly
 7 read by him to the meeting; and such reading shall be deemed notice of the
 8 result of the election, to every person whose name shall be entered on the
 9 poll list as a voter.

§ 28. In case two or more persons shall have an equal number of votes for
 2 the same office, the question of which shall be entitled to the office shall be
 3 decided by lot, under direction of the district clerk, but he shall give each
 4 party at least five days' notice of the time and place of drawing lots.

§ 29. The clerk of every meeting held pursuant to section 27, of this act,
 2 shall, within ten days thereafter, transmit to each person elected to any
 3 district office, a notice of his election. He shall also file in the office of
 4 the county clerk a list of the names of all district officers elected at such
 5 election, who have qualified, within twenty days after such election shall
 6 be held.

§ 30. No person shall be eligible to any district office unless he shall be a
 2 legal voter, and have been one year a resident of said district.

§ 31. Every person elected or appointed to the office of commissioner of
 2 highways or clerk, before he enters upon the duties of his office, and within ten

3 days after he shall be notified of his election or appointment, shall take and subscribe, before some justice of the peace or district clerk, the oath or affirmation of office prescribed by the constitution, which shall within five days thereafter, be filed in the office of the district clerk.

§ 32. If any person elected or appointed to either of the offices above enumerated shall neglect to take and subscribe such oath, and cause the certificate to be filed as above required, such neglect shall be deemed a refusal to serve. If any person elected or appointed, shall refuse to serve, he shall forfeit to the district the sum of \$25.

§ 33. If any district officer, who is by law required to take the oath of office, shall enter upon the duties of his office before he shall have taken such oath, he shall forfeit to the district the sum of \$50.

§ 34. The clerk, as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on an order signed by not less than two of the commissioners, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of moneys likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over, upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the district, to be approved by the commissioners of highways, and filed in the office of the county clerk with such approval endorsed thereon: *Provided*, that if from any cause the commissioners of highways shall deem the bond so given insufficient, they may require a new bond: *And, provided, further*, that the commissioners shall have the right to fix any other sum to be required in any new bond so given.

§ 35. The board of commissioners of highways shall have power to remove the district clerk, at any time, for any failure or refusal to execute or comply with any order or requisition of said board, legally made, or for any

4 other improper conduct in the discharge of his duties as clerk or treasurer.
 5 They shall have power, for any failure or refusal as aforesaid, to sue him
 6 upon his bond.

§ 36. If any person elected or appointed to the office of clerk and *ex-officio*
 2 treasurer shall not give such security and take such oath as is required,
 3 within ten days after receiving notice of his election or appointment, such
 4 neglect shall be deemed a refusal to serve.

§ 37. When the term of any commissioner of highways or clerk shall
 2 expire, and other persons shall be appointed to such office, it shall be the
 3 duty of such successor, immediately after he shall have entered upon the
 4 duties of his office, to demand of his predecessor all the books, papers,
 5 moneys and other property under his control, belonging to such office.

§ 38. Whenever either of the officers above named shall resign, or the
 2 office become vacant in anyway, and another person shall be elected or
 3 appointed in his stead, the person so elected or appointed shall make such
 4 demand of his predecessor, or of any person having charge of such books,
 5 papers, moneys or other property.

§ 39. It shall be the duty of every person so going out of office, whenever
 2 thereto required pursuant to the foregoing provisions, to deliver up, on oath,
 3 all the records, books, papers, moneys and other property in his possession
 4 or in his control belonging to the office held by him; which oath may be
 5 administered by the officer to whom such delivery shall be made.

§ 40. Whenever any district shall fail to elect the proper number of dis-
 2 trict officers to which such district may be entitled by law, or when any
 3 person elected to any district office shall fail to qualify, or whenever any
 4 vacancy shall happen in any district, from death, resignation, removal from
 5 the district, or other cause, it shall be the duty of the county board, to fill
 6 such vacancy by certificate under the hand and seal of the county clerk;
 7 and the persons so appointed shall hold their respective offices until the
 8 next annual election, and until their successors are elected and qualified;
 9 and shall have the same powers and be subject to the same duties and pen-
 10 alties as if they had been duly elected by the electors.

§ 41. When any appointment shall be made, as provided in section 40, of
 2 this act, the county clerk shall cause the certificate of appointment to be
 3 forthwith filed in the office of the district clerk, who shall immediately give
 4 notice to each person appointed.

§ 42. Any justice of the peace residing in such district, may, for suffi-
 2 cient cause shown to him, accept the resignation of any district officer of
 3 his district, and whenever he shall accept any such resignation, he shall
 4 forthwith give notice thereof to the district clerk of the district, or in his
 5 absence, to the president of the board of commissioners of highways, who
 6 shall make a minute thereof upon the district records. He shall also
 7 immediately give notice to the county clerk of any vacancy that may exist
 8 in any district office.

§ 43. The district clerk shall have the custody of all records, books and
 2 papers of the district, and he shall duly file all certificates or oaths and
 3 other papers required by law to be filed in his office. He is authorized to
 4 administer oaths and take affidavits in all cases required by law to be
 5 administered or taken by district officers.

§ 44. He shall record in the book of records of his district, the minutes of the
 2 proceedings of every meeting of the board of commissioners of highways held
 3 therein, and shall enter in said book every order or direction, and all by-laws,
 4 rules and regulations made by said board at any meeting. All records and
 5 books required by law to be kept by such clerks, shall be deemed public records
 6 and shall at all times be open to inspection without fee or reward.

§ 45. He shall annually, at the time required by law, certify to the county
 2 clerk the amount of taxes required to be raised for district purposes; and if
 3 any clerk shall refuse or wilfully omit to make such return, he shall be fined
 4 for each offense not exceeding \$10.

§ 46. Copies of all papers, duly filed in the office of district clerk, and tran-
 2 scripts from the district records certified by him, shall be evidence in all courts
 3 with like effect as if the originals were produced.

§ 47. The district clerk shall, from time to time, as may be necessary, procure
 2 the proper books and stationery for his office, and the cost thereof shall be paid
 3 out of the district treasury.

§ 48. It shall be the duty of the district clerk as *ex-officio* treasurer to receive
 2 all moneys due the district, and pay out the same as provided in section 34 of
 3 this act. He shall also on the second Tuesday of March, present to the board
 4 of commissioners of highways an itemized statement of receipts and disburse-
 5 ments, which shall be sworn to. The board shall carefully audit the accounts
 6 so presented, and if found correct, approve the same and cause such statement
 7 to be published as now provided by chapter 102, of the Revised Statutes.

§ 49. The following compensation shall be allowed to the officers provided
 2 for by this act: 1. The commissioners of highways shall each receive for
 3 each day necessarily employed in the discharge of their duties, the sum of
 4 one and a half dollars, upon a sworn statement to be filed by each commis-
 5 sioner in the district clerk's office, showing the number of days he was em-
 6 ployed, and the kind of employment, and giving the dates thereof. 2. The
 7 justice of the peace required by this act to assist in canvassing the vote
 8 shall receive the sum of one and a half dollars per day for his services.
 9 3. The district clerk shall receive one and a half dollars per day for each
 10 day he shall be in attendance at a meeting of the board, and the same
 11 amount per day, for the time he shall be employed as clerk of election, or
 12 in canvassing the returns of such election. He shall receive no other per
 13 diem. In addition to the above he shall also receive fees for the following
 14 services, to be paid out of the district funds, except where otherwise spec-
 15 ified: For serving notice of election or appointment upon district officers,
 16 as required by this act, twenty-five cents each. For posting up notices re-
 17 quired by law, twenty-five cents each. For copying any record in his office
 18 and certifying to the same, ten cents for every one hundred words, to be
 19 paid by the person applying for the same. Such clerk shall also, as treas-
 20 urer, receive one per cent. on all moneys received, not received from his pre-
 21 decessor, and one per cent on all moneys paid out, not paid to his successor.

§ 50. All roads in this State which have been laid out in pursuance of any law of this State, or of the territory of Illinois, or which have been established by dedication or used by the public as a highway for twenty years and which have not been vacated in pursuance of law, are hereby declared to be public highways.

§ 51. The commissioners of highways shall have charge of the roads and bridges of their respective districts, and it shall be their duty to keep the same in repair and to improve them so far as practicable. Whenever the available means at their disposal will permit, they shall construct permanent roads, beginning where most needed. The work on roads shall be done timely and in accordance with the best known methods of road-making, by proper grading and thorough drainage by tile or otherwise, as may be expedient, and by the application of gravel, rock, or other material.

§ 52. In order to insure efficiency, they may employ a general superintendent outside their own body to work and to execute their orders; or they may divide the work, let contracts, appoint overseers, or employ such other agencies as they may deem expedient and most to the interest of the district.

§ 53. In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have directly or indirectly any personal pecuniary interest in connection therewith.

§ 54. Their duties shall include:

First—To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

Second—To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the district clerk's office.

Third—To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

Fourth—To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their district wherever

13 the same may be found, and not allow the same to go to waste, and not
 14 lend the same except to persons employed by them to work the roads by
 15 contract or otherwise.

16 *Fifth*—To cause to be erected and kept in repair at the forks or crossing place
 17 of the most important public roads, a post and guide board, with plain
 18 inscription thereon, in letters and figures, giving directions and distances
 19 to the most noted places to which such road may lead; to prevent thistles,
 20 burdock, cockle-burs, mustard, yellow dock, Indian mallow and gypson
 21 weed from seeding, and to extirpate the same so far as practicable; and
 22 to prevent all rank growth of vegetation in the public highway; and the
 23 said commissioners may, at their discretion, adopt any suitable and con-
 24 venient mode of supplying water in troughs conveniently situated on the
 25 public highway for public use.

§ 55. Whenever the commissioners are about to lay a tile drain along a
 2 public road they shall have power to contract with the owners or occupants
 3 of adjoining lands to lay larger tile than would be necessary to drain the
 4 road, and to permit connection therewith by such contracting parties to
 5 drain their lands.

§ 56. Where willow hedges, or a line of willow trees have been planted
 2 along the margin of the road, so as to render tiling impracticable, the
 3 commissioners may contract with the owner for their destruction; and they
 4 shall be destroyed before tiling; the planting of these trees hereafter on
 5 the margin of roads is hereby declared a public nuisance.

§ 57. The commissioners of the several districts are hereby authorized
 2 to enter upon any land adjacent to any highway in their district for
 3 the purpose of opening any ditch, drain, necessary sluice or water-
 4 course, whenever it shall be necessary to open a water-course from any high-
 5 way to the natural water courses, and to dig, open and clean ditches upon said
 6 land for the purpose of carrying off the water from said highways, or to drain
 7 any slough or pond on said highway: *Provided*, that unless the owner of
 8 such land or his agent shall first consent to the cutting of such ditches, the com-
 9 missioners shall apply to any justice of the peace in the county in which such

10 road is situated, for a summons, directed to any constable of said county, com-
 11 manding him to summon the said owner to appear before the said justice, at a
 12 time and place specified in such summons, not less than five nor more than
 13 fifteen days from the date thereof, for the purpose of having the damage
 14 assessed which such owner may sustain by reason of the digging or opening
 15 of such ditches or drains. The said summons shall be under the hand of
 16 such justice, and be served in the same manner as a summons is now
 17 served in civil actions before justices of the peace. On the return of such
 18 summons, a venire shall be issued for a jury, as in other cases in the trial
 19 of civil actions before justices of the peace, which jury shall assess such
 20 damages and render a verdict therefor. Whereupon judgment shall be
 21 entered by the justice in accordance with the verdict. If either party shall
 22 feel aggrieved by such judgment, an appeal may be taken as in other cases;
 23 provided bond is filed within five days from the time of entering of the judg-
 24 ment. If no appeal is perfected within five days the amount so awarded shall
 25 be paid before the commissioners shall be warranted and empowered to enter
 26 upon such lands and dig, open and clean such drains, ditches and water-
 27 courses as aforesaid, for the purposes contemplated in this act. If the
 28 defendant appeals, the commissioners, by depositing with the justice the
 29 amount of said judgment and costs recovered, to be by him transmitted,
 30 the papers in said cause to the court to which such appeal has been
 31 taken, but they shall be required to pay whatever judgment may be
 32 finally recovered. The commissioners are authorized to use the poll-tax
 33 and road money of their district for the payment of such judgments;
 34 *Provided*, that not more than one-half of such jury shall be residents of
 35 the district which is liable to pay the damages: *Provided further*, that in
 36 case the owner of said lands is a non-resident, service may be had by
 37 leaving a copy with the occupant or agent, or by notice in the same
 38 manner as prescribed in section 90 of this act.

§ 58. In grading roads, whenever practicable, it shall be done so as to
 2 leave not less than one-tenth of the width of the road on each side for a
 3 sidewalk, and it shall be unlawful to ride or drive on such walk; and any

4 person so offending shall be subject to a fine of five dollars for each offense.
 5 Corner stones marking sectional or other corners shall not be disturbed except
 6 to so grade the road that these, if in the line of travel, shall not rise above
 7 the surface, and corner stakes shall be replaced by good and substantial stones.
 8 In grading public roads if a ditch is made at the junction of the roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 59. The commissioners shall meet with the district clerk on the second
 2 Tuesday in March, and organize by electing one of their number president;
 3 and they shall proceed to consult on their duties, and how best to exercise
 4 their powers as enumerated in section 52 of this act. The commissioners
 5 shall also meet on the second Tuesdays of June, September and December,
 6 at some central and convenient place, for the transaction of any business
 7 that may come before them. A majority of such commissioners shall con-
 8 stitute a quorum to do business, and, in the absence of the chairman, a
 9 chairman pro tem. may be appointed. The place of holding the meetings
 10 of the commissioners shall be as near permanent as possible. Special
 11 meetings may be called by the president of the board or any two members.

§ 60. At the meeting to be held on the second Tuesday in March, they
 2 shall make a list of the able-bodied men in their district between the ages
 3 of twenty-one and fifty years, and deliver the same to their treasurer on or
 4 before the first day of April in each year, and assess at such meeting
 5 against each person upon such list a sum not less than one dollar nor more
 6 than five dollars, as a poll tax for highway purposes, to be paid to such
 7 treasurer by the first Monday in June, of each year: *Provided*, that pauper
 8 idots, lunatics and such others as are exempt by law, shall not be compelled
 9 to pay a poll tax for highway purposes: *Provided*, also, that this list shall
 10 not include persons within the limits of cities or incorporated villages. The
 11 treasurer shall, within ten days after such list is delivered to him, cause
 12 written or printed notices to be given to each person so assessed, notifying
 13 him of the time when, and the place where such tax must be paid, and if this

14 poll-tax shall not be paid by the first Monday of June in such year, it shall
 15 be the duty of the commissioners, in the name of the town, to bring suit
 16 therefor against such person before some justice of the peace having
 17 jurisdiction thereof; summons shall be issued and return made in the same
 18 manner as provided by law in other cases. If judgment is rendered against
 19 defendant, the court shall find in such judgment that the same is for poll-tax
 20 unpaid, and shall endorse the same on the execution, if one is issued. No prop-
 21 erty belonging to the defendant shall be exempt from levy to satisfy such
 22 execution.

§ 61. The constable to whom such execution shall be delivered, shall
 2 forthwith collect the moneys therein mentioned. He shall pay the money
 3 so collected, when collected, to the justice of the peace who issued the execu-
 4 tion, who is hereby required to pay the same to the treasurer of the road and
 5 bridge fund.

§ 62. At the meeting to be held in September, the commissioners shall de-
 2 termine what per cent. shall be levied on the property of the district for roads
 3 and bridges, which levy shall not exceed one hundred cents on each one
 4 hundred dollars: *Provided*, that the county board shall make the first levy
 5 provided for by this act.

§ 63. The commissioners at said meeting shall make a certificate of the rate
 2 per centum finally agreed upon, by virtue of section sixty-two of this act, and
 3 shall cause such certificate to be delivered to the district clerk, to be kept by him
 4 on file for the inspection of the inhabitants of said district, and the district clerk
 5 shall at once certify the said levy to the county clerk, to be by him extended
 6 separately upon the collector's book of said district, to be collected as other taxes,
 7 and when collected shall be paid to the treasurer of the commissioners by the
 8 collector, as fast as the same is collected, except such rate per cent. as shall be
 9 allowed for collecting the same.

§ 64. When damages have been agreed upon, allowed or awarded for laying
 2 out, widening, altering or vacating roads, or for ditching to drain roads, the
 3 amounts of such damages shall be included in the first succeeding tax levy, pro-

4 vided for in section 62 of this act; and when collected shall constitute and be
5 held by the treasurer of the commissioners as a separate fund to be paid out to
6 the parties entitled to receive the same.

§ 65. Whenever damages have been allowed for roads or ditches the com-
2 missioners may draw orders, on the treasurer, payable only out of the tax to
3 be levied for such roads or ditches, when the money shall be collected or
4 received to be given to persons damaged.

§ 66. At the meeting to be held in December the commissioners shall make
2 a report in writing, to be filed with the district clerk, who shall record such
3 reports at large in the minutes of said meeting, of:

4 *First*—The amount of poll-tax assessed, how much paid, and how much de-
5 linquent.

6 *Second*—The amount of road and bridge money received by them, and a full
7 and detailed statement as to how and where expended, and the balance, if any,
8 unexpended.

9 *Third*—The amount paid for damages in laying out, altering, widening or
10 vacating roads, and right of way for ditches.

11 *Fourth*—The amount of liabilities incurred and not paid; and if such liabilities
12 are undetermined, they shall be estimated.

13 *Fifth*—Any additional matter concerning the roads and bridges of the district
14 they may think expedient and proper to make.

§ 67. When it is necessary to construct or repair any bridge over a
2 stream, or to construct or repair any other distinct and expensive work on
3 a public road in any district, or on, or near to, or across a district line, in which
4 work the district is wholly or in part responsible, and the cost of which
5 will be more than one hundred dollars, and the levy of the road and
6 bridge tax for that year in said district was for the full amount of one
7 hundred cents on each one hundred dollars, allowed by law for the com-
8 missioners to raise, the major part of which is needed for the ordinary
9 repair of roads and bridges, the commissioners may petition the county
10 board for aid; and if the foregoing facts shall appear, the county board

11 may, if deemed to the interests of the public appropriate from the county
 12 treasury a sum sufficient to construct said bridge or other work. The
 13 expenditures of these funds shall be made by the county commissioners,
 14 and any surplus funds appropriated by the county board, after the completion of
 15 the work, shall be paid into, or lapse into the county treasury.

§ 68. Bridges over streams which divide districts or counties, and bridges
 2 over streams on roads or county on district lines, shall be built and
 3 repaired at the expense of such districts or counties: *Provided*, that for
 4 the building and maintaining of bridges over streams near county or district
 5 lines in which both are interested, the expense of building and maintaining
 6 any such bridges shall be borne by both counties or districts in such
 7 portion as shall be just and equitable between said districts or counties,
 8 taking into consideration the taxable property in each, the location of the
 9 bridge and the advantage of each to be determined by the Commissioners
 10 in making contracts for the same as provided for in section 69 of this act.

§ 69. For the purpose of building or keeping in repair such bridge or
 2 bridges, it shall be lawful for the commissioners of such adjoining districts,
 3 whether they be in the same or different counties, or county boards of
 4 such adjoining counties to enter into joint contracts, and such contracts
 5 may be enforced in law or equity, against such Commissioners jointly, the
 6 same as if entered into by individuals, and such Commissioners or County
 7 Boards may be proceeded against, jointly, by any parties interested in such
 8 bridge or bridges, for any neglect of duty in reference to such bridge or
 9 bridges, or for any damage growing out of such neglect.

§ 70. Whenever the Commissioners of either of such adjoining districts
 2 shall refuse to enter into such joint contracts to build and maintain such
 3 bridge or bridges, the Commissioners of the other district may submit such
 4 question to an annual, or call a special election to vote upon the propo-
 5 sition as to whether such district shall proceed to build and maintain such
 6 bridge or bridges at its own expense. If such proposed bridge shall require
 7 a greater sum of money to complete it than is available to the Commis-

8 sioners by other means, they may also submit the proposition to such
9 annual or special election, to borrow money to build such bridge. The
10 voting shall be by ballot, and if simply the question as to the building of
11 the bridge is submitted, if the voter desires to vote for building the bridge,
12 his ballot shall state "to build bridge," and if he desires to vote against
13 the proposition, his ballot shall state "against the proposition to build
14 bridge." If the proposition to borrow money to build such bridge shall
15 be included in the notice, the maximum amount to be borrowed shall be
16 stated in the same, and the voter desiring to vote affirmatively shall state
17 on his ballot "to build bridge and to borrow money to construct the
18 same;" and if he desires to vote negatively, his ballot shall state "against
19 the proposition to build bridge and to borrow money to construct the
20 same." Such special election shall be called and held in the same manner
21 as is provided for in sections 25, 26 and 27 of this act. If the proposition to
22 build such bridge shall receive a majority of all the votes cast at such
23 election, the commissioners shall then have the power to contract for the
24 building of such bridge and approaches thereto, the same as if the bridge
25 was entirely located in such district, and shall have the power to acquire
26 by purchase, lease or gift, any private bridge already built, suited to their
27 purpose, or any land upon which to build the approaches, or may use for
28 the purpose of such approaches any public highway that may lead to the
29 bank of the stream where said bridge is to be built on either side of said
30 stream, whether such highway may be within the limits of said district
31 or county or not. If the proposition to build such bridge and borrow
32 money to build the same shall receive a majority of the votes cast at such
33 special or annual election, the Commissioners, to be countersigned by the
34 district clerk, shall issue from time to time as the work progresses, a
35 sufficient amount in the aggregate, of the bonds of said district for the
36 purpose of building such bridge and the approaches thereto, or to purchase
37 any private bridge already built, as the case may be; said bonds to be of
38 such denominations, bear such rate of interest, not exceeding eight per cent,

39 upon such time, and be disposed of as the necessities and conveniences of
 40 said commissioners may require. Such bonds shall not be sold for less
 41 than their par value, and such district shall provide for the payment of
 42 such bonds and interest by appropriate taxation.

§ 71. If the commissioners of either of such district, or county boards of
 2 such counties after reasonable notice in writing from the commissioners of
 3 any other such district or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county
 6 board so giving notice to build or repair the same to recover, by suit, one-
 7 half (or such amount as shall have been agreed upon) of the expense of so
 8 building or repairing such bridge, with costs of suit and interest from the
 9 time of the completion thereof, from the commissioners or county board so
 10 neglecting or refusing.

§ 72. The commissioners are hereby authorized to contract for the con-
 2 struction and repairing of roads and bridges, but when such contracts are
 3 for a sum exceeding \$50, they shall give at least ten days' notice of time
 4 and place of letting such contract by posting notices in at least ten public
 5 places in and contiguous to the district, describing the work and time of
 6 completion: *Provided*, in cases where bridges have been suddenly destroyed
 7 on an important highway, then such commissioners may privately contract
 8 for replacing such bridge to an amount not exceeding \$150.

§ 73. Contracts for constructing and repairing roads and bridges on dis-
 2 trict lines, or across streams on district lines shall be let by the commissioners
 3 of the two districts, who shall meet and act as one body when taking action
 4 upon the letting of such contracts for the construction or repair of such
 5 roads and bridges, or acceptance of the work when such contracts are for
 6 the expenditure of a sum exceeding \$100, they shall advertise for bids in
 7 the same manner as provided in the preceding section, except that the
 8 notices shall be posted in and contiguous to the two districts.

§ 74. At such public letting, as provided for in the preceding section, the commissioners shall have the right to reject any and all bids if they deem it to be the best interests of the district, and no contract shall be considered as let unless the contractor shall, within ten days after the letting, enter into contract and file a bond with two good and sufficient sureties with the commissioners, in the penal sum of double the value of the amount of the contract, payable to the commissioners of the district, upon failure to comply with the conditions of his or their contract.

§ 75. All contracts for the construction or repair of roads, or building or repairing of bridges, shall be made payable as soon as the work in said contract is completed and accepted by the commissioners.

§ 76. All public roads established under the provisions of this act, shall be of the width of sixty feet: *Provided*, short roads, not exceeding two miles in length, may be of a width not less than forty feet nor more than sixty feet, and roads called public and private roads may be of a width as in this act provided. All public roads laid out as herein provided shall be opened within two years from the time of laying out the same. If not opened within the time aforesaid, the same shall be deemed to be vacated.

§ 77. The commissioners may alter, widen or vacate any road, or lay out any new road in their respective districts, when petitioned by any number of land owners, not less than twelve, residing in such districts and within three miles of the road so to be altered, widened, vacated or laid out.

§ 78. Whenever any person or persons desire a change, re-location or vacation of any county or State road, or the opening of any new road, notice of such intended application shall be given by putting up advertisements in writing, in at least three of the most public places in the district in which said road shall be located, and by filing a copy of such advertisement with the district clerk, at least twenty days previous to the sitting of the board at which application shall be made. Said application shall be made by petition as provided in section 77 of this act, which petition shall set forth in writing, a description of the road, and what part thereof is to be

10 altered, widened or vacated, and if for a new road, the names of the owners
 11 of lands, if known, and if not known it shall be so stated, over which the
 12 road is to pass, the points at or near which it is to commence, its general
 13 course, and the place at or near where it is to terminate, and the date
 14 when such application will be made.

§ 79. Whenever the commissioners shall receive any such petition, they
 2 shall fix a time when and place where they will meet to examine the
 3 route of such road, and to hear reasons for or against the altering, widening,
 4 vacating or laying out the same; and they shall give at least ten days'
 5 notice of the time and place of such meeting, by posting up notices in
 6 three of the most public places in the district in the vicinity of the road
 7 to be widened, altered, vacated or laid out.

§ 80. The commissioners may, by public announcement, and by the posting
 2 of a notice at the time and place named for the first meeting, adjourn the
 3 meeting from time to time, but not for a longer period than ten days in all;
 4 and shall, at the first or such adjourned meeting, within said ten days, decide
 5 and publicly announce whether they will grant or refuse the prayer of the
 6 petition, and shall indorse upon or annex to the petition a brief memor-
 7 andum of such decision, to be signed by the commissioners, and filed within
 8 five days in the office of the district clerk. Such decision shall be sub-
 9 ject to revocation, in case the prayer of the petition is granted, in the
 10 manner hereinafter provided. In case the commissioners refuse to grant
 11 the prayer of the petition, they shall within five days thereafter, file the
 12 same, so indorsed or with such decision annexed thereto, in the office of
 12 the district clerk.

§ 81. If the petition is simply for the vacation of a road, and the commis-
 2 sioners, or a majority of them, shall, at such meeting decide that the prayer
 3 of the petitioners should be granted, they shall order such road to be
 4 vacated, a copy of which order, together with the petition, shall be by
 5 them filed with the district clerk; such order to be so filed within five days
 6 after the date of such decision.

§ 82. If such petition is for the establishment of a new road, or the alteration or widening of an existing road, and the commissioners, or a majority of them, shall be of the opinion that the prayer of the petitioners should be granted, they shall cause a survey and plat of such road to be made by a competent surveyor, who shall report such survey and plat to said commissioners, giving the courses and distances, and specifying the land over which said road is to pass—in which they may make such changes between the termini of the road described in the petition as the convenience and interest of the public, in their judgment, may require.

§ 83. Upon the petition of twelve land owners residing in the district where the road is situated, it shall be the duty of the commissioners, within a reasonable time, to employ a competent surveyor and have any road designated in such petition in their several districts re-surveyed, and plats thereof made, which plats and surveys shall be by them filed for record in the office of the district clerk: *Provided*, that this section shall not apply where the same has been already done, unless the exact location of such road is uncertain.

§ 84. The establishment of a new road on the route of a road already established according to law, shall not vacate the road previously established, unless such vacation is prayed for in the petition, and so declared in the order establishing a new road.

§ 85. In all cases where a petition is presented to the board of highway commissioners, praying for a change, alteration, re-location or vacation of any road, or the laying out of a new road, as provided for in this act, if there shall be remonstrances presented against granting the same, it shall be the duty of said board to give due consideration both to the petition and remonstrance, and grant or refuse the prayer of such petitioners, as in their discretion shall be just and proper.

§ 86. They shall also, before they order any road to be established, altered, widened or vacated, ascertain as hereinafter provided, the aggregate amount of damages which the owner or owners of land over which the road is to

4 pass shall be entitled to, by reason of the location, alteration or vacation of
 5 such road: *Provided, however,* that in case an appeal is taken from the
 6 assessment of damages before the justice of the peace, the commissioners may
 7 in their discretion, make an order laying out, widening, altering or vacating
 8 such road, either before or after such appeal is determined, in the manner
 9 hereinafter provided.

§ 87. The damage sustained by the owner or owners of the land, by reason
 2 of the establishment, alteration, widening or vacation of any road, may be
 3 agreed upon by the owners of such lands, if competent to contract, and the
 4 commissioners, or they may be released by such owners—in which case the
 5 agreement or release shall be in writing, and shall be filed and recorded with
 6 the copy of the order establishing, altering, widening or vacating such road,
 7 in the district clerk's office, and shall be a perpetual bar against such owners,
 8 their grantees and assigns, for all further claims for such damage.

§ 88. In case such damages are not released or agreed upon as in the
 2 preceding section specified, the commissioners shall within ten days from the
 3 date of the meeting at which it was decided to grant the prayer of the
 4 petition make a certificate that they are about to establish, widen, vacate or
 5 alter a public road, describing such road, vacation, widening or alteration, and
 6 the land over or on which such road is to be established, altered, widened or
 7 vacated, and naming the owners of such lands, if known, and if not known
 8 stating the fact, and asking for a jury to assess the damages of such owners,
 9 and shall present such certificate to some justice of the peace of the county,
 10 who on receipt of the same shall within five days issue a summons against
 11 the land owners concerned, which summons shall be in the following form as
 12 nearly as the case will admit, viz:

13 STATE OF ILLINOIS,)
 14 COUNTY:) ss.

15 The People of the State of Illinois, to any constable of said county,
 16 greeting:

17 You are hereby commanded to summon to appear before

18 me at _____ on the _____ day of _____ at _____ o'clock, and prove to a jury then and
 19 there to be empaneled, such damages as he or they may sustain on account
 20 of the establishing, altering, widening or vacating the road described in a cer-
 21 tificate of the commissioners of Road District No _____, in said county, which
 22 certificate is now on file in my office.

23 Given under my hand and seal this _____ day of _____ 18 _____.

24 _____ Justice of the Peace.

25 In which summons the justice shall specify a certain place, day and hour for
 26 the trial, not less than six nor more than fifteen days from the date of such
 27 summons, at which time and place such land owners are to appear. Such
 28 summons shall be served at least three days before the time of trial mentioned
 29 therein, by reading the same to the land owners therein named.

§ 89. If any such owner is an infant, such summons shall be served by
 2 delivering a copy to the infant, and its guardian, if any, if no guardian, the
 3 person with whom he or she resides. If any owner is a lunatic or habitual
 4 drunkard, having a conservator, or insane, by delivering a copy to his con-
 5 servator, if any.

§ 90. In case it shall appear, either from the certificate of commissioners,
 2 the affidavit of any person, or the return of any officer to whom the notice
 3 may be delivered for service, that there are non-resident or unknown owner
 4 or owners, who cannot be found and served within the county, such justice
 5 shall also cause notice to be delivered to the occupant of such lands, and the
 6 contents and nature thereof to be made known to such occupant, and also to
 7 be posted in three of the most public places in the vicinity of such proposed
 8 road or alteration, at least ten days before the time fixed in the summons
 9 for hearing proof of damages, stating the time and place, as stated in said
 10 summons, and describing the road to be established or altered, and the lands
 11 for which damages are to be assessed; and in case service is made upon any
 12 owner by posting notices as above, provided the justice shall continue said
 13 hearing for a period not exceeding twelve days.

§ 91. Such justice shall also forthwith issue a venire directed to any constable of the county, to summons six persons having the qualifications of jurors to appear at such time and place as may be designated for the proving of such damages, whose competency shall be determined the same as in other civil cases before justices of the peace. Either party to the case shall have the same right of challenge as in other civil cases; and any deficiency in the number of jurors, from whatever cause, shall be supplied by summoning other persons residing in such county: *Provided*, that not more than one-half of such jury shall be residents of the district liable to pay the damages assessed in the case. *Provided, further*, that changes of venue may be granted, if applied for before the commencement of the trial, in the same manner as in other civil causes before justices of the peace.

§ 92. The jury shall appear before and be sworn by such justice faithfully and impartially to assess the damage of each of the owners specified in such certificate, or those of them whose claims are then to be adjusted, according to law to the best of their judgment and understanding; and all parties in interest shall be entitled to subpoenas and other writs and papers, and the trial shall be conducted as in other civil cases.

§ 93. The case shall be entitled, "Commissioners of Road District No. — vs. (whoever may be summoned as land owners); and the jury shall hear such lawful evidence touching the question of such damages as may be presented to them; and shall also, on request of a majority of the commissioners or owners of lands whose damages are to be determined, in a body visit and examine the proposed location, alteration, widening or vacation of such road, and the lands to be taken and affected thereby, and make a written verdict, specifying the amount of damages, if any, which every such owner shall recover, and return the same to such justice, to be by him entered on his docket in the nature of a judgment: *Provided*, that in estimating the damages, except damages to land actually taken for a road, the jury may consider the benefits conferred; but no benefits enjoyed in common by the owners of surrounding property shall be considered in estimating damages.

§ 94. At the next regular meeting after the total amount of damages shall
 2 have been ascertained, either by release or agreement of the parties, or by
 3 assessment before a justice of the peace and a jury, in the manner hereinbe-
 4 fore provided, the commissioners shall finally determine upon the laying out,
 5 altering, widening or vacation of such road.

§ 95. In cases where the damages are not wholly released or agreed upon,
 2 and the commissioners shall be of the opinion that the damages assessed by
 3 the jury are manifestly too high, and that the payment of the same would be
 4 an unreasonable burden upon the tax-payers of the district, the commissioners
 5 may revoke all proceedings had upon the petition by a written order to that
 6 effect; and such revocation shall have the effect to annul all such proceed-
 7 ings and assessments, releases and agreements, in respect to damages growing
 8 out of the proceedings upon the petition: *Provided*, upon the final determin-
 9 ation of the commissioners of highways, or upon appeal being determined,
 10 and a copy of all such proceedings being filed in the district clerk's office, no
 11 other proceeding shall be had by the commissioners of highways, nor any
 12 petition entertained in regard to the same road or petition for one year from
 13 the date of filing such copies of proceedings. And after two trials as afore-
 14 said, if the decision be the same, no other petition shall be entertained for
 15 the same until the expiration of three years from the filing of the last pro-
 16 ceedings.

§ 96. In case the commissioners shall not revoke such prior proceedings,
 2 they shall make an order, to be signed by them, declaring such road so
 3 altered, widened or laid out a public highway, and which order shall contain
 4 or have annexed thereto a definite description of the line of such road,
 5 together with a plat thereof. The commissioners shall, within five days from
 6 the date of such order, cause the same, together with the report of the sur-
 7 veyor, the petition and the release agreements or assessments in respect to
 8 damages, to be deposited and filed in the office of the district clerk, who shall
 9 note upon such order the date of such filing. It shall be the duty of such
 10 clerk, after the time for appeal has expired, and in the case of such appeal,

11 after the same shall have been determined, in case the prayer of the petition
 12 is granted, to record such order, together with the plat of the surveyor, in
 13 a proper book to be kept for that purpose.

§ 97. In cases where the damages claimed by the land-owners for the right
 2 of way are released, or are agreed upon between the land-owners and com-
 3 missioners, the commissioners may, at their first meeting, or at any adjourned
 4 meeting, examine the route of the road, and cause a survey thereof to be
 5 made, and make their order establishing, altering, widening or vacating the
 6 road, according to the prayer of the petition, and return the same within the
 7 time and in the manner specified in this act.

§ 98. Any person or persons interested in the establishment, alteration,
 2 widening or vacation of any road in this State, are hereby authorized to offer
 3 inducements to the commissioners of highways for the establishment, alter-
 4 ation, widening or vacation of any such road, by entering into contract
 5 with said commissioners, conditioned upon such establishment, alteration,
 6 widening or vacating, to pay money or other valuable thing to the district
 7 for the benefit of the road and bridge funds of the same; or to perform any
 8 labor, or to construct any road, bridge or culvert on any road which said
 9 person or persons desire to have established, widened or altered. And such
 10 contracts, in writing, made with said commissioners, shall be deemed good
 11 and valid in law, and may be enforced by said commissioners or their
 12 successors in office, before any court having jurisdiction.

§ 99. The records of the district clerk, or a certified copy of such record
 2 and papers, relating to the establishment, location, alteration, widening or
 3 vacation of any road, shall be *prima facie* evidence in all cases that all
 4 the necessary antecedent provisions had been complied with, and that the
 5 action of the commissioners or other persons and officers, in regard thereto,
 6 was regular in all respects.

§ 100. Whenever a public road is ordered to be established or altered,
 2 according to the provisions of this act, which road shall pass through or
 3 on enclosed land, the commissioners of highways shall give the owner or

4 occupant of such land sixty days' notice in writing, to remove the fences,
 5 If such owner or occupant does not remove the fence or fences within sixty
 6 days after such notice, the commissioners shall have the same removed, and
 7 direct the road to be opened and worked; the owner of such premises shall
 8 pay all necessary costs of removal, and the same may be recovered by the
 9 commissioners before any justice of the peace of the county.

§ 101. Roads for private and public use, of the width of three rods or less,
 2 may be laid out from one dwelling or plantation of an individual to any
 3 public road, or from one public road to another, or from a lot of land to a
 4 public road, on petition to the commissioners by any person directly interested;
 5 such petition shall be of the same form and subject to the same notice as
 6 provided in section 78, of this act. The commissioners on receiving such
 7 petition, shall have power to lay out the road as asked for therein, to
 8 which end they shall proceed and examine into the merits of the case, and
 9 shall be governed in their proceedings by the rules and regulations pre-
 10 scribed in this act in relation to public roads. The jury shall consider the
 11 damages that may result to parties from said proposed road, and shall assess
 12 the damages to each individual owner of lands affected thereby. The amount
 13 of such damages shall be paid by the persons benefited thereby to the
 14 extent and in proportion that they are benefited, be determined and
 15 declared by the jury. The remainder of the amount of damages over and
 16 above that to be paid by the parties as aforesaid, shall be paid by the
 17 district as in other cases. The amount of damages to be paid by individuals
 18 shall be paid to the parties entitled thereto before the road shall be opened
 19 for use. An appeal may be taken on the question of the propriety and
 20 necessity of such road as in other cases.

§ 102. If such road or cartway shall not be opened by the petitioners within
 2 two years from the time of making the order for the location of the same,
 3 such order shall be regarded as rescinded.

§ 103. When such road or cartway is proposed to pass over inclosed lands
 2 the owners of such lands shall have a reasonable time, not exceeding eight

3 months, to be designated by the commissioners, to harvest crops and remove
 4 fences which may be on such lands before such road or cartway shall be
 5 opened.

§ 104. Public roads may be established, altered, widened or vacated on
 2 district or county lines, or from one district into another, in the same manner
 3 as other public roads, except that in such case a copy of the petition shall
 4 be posted up in and presented to the commissioners of each district inter-
 5 ested; said petition to be as in other cases, and signed by not less than
 6 twelve land owners residing in either county within three miles of the road
 7 so to be altered, widened, located or laid out; whereupon it shall be the duty
 8 of the commissioners of the several districts to meet and act as one body, in
 9 the same time and manner as in other cases, in considering the petition,
 10 viewing the premises, adjusting damages and making all orders in reference
 11 to such proposed road alteration, widening or vacation, and a majority of all
 12 such commissioners must concur in all such orders; and a copy of all final
 13 orders and plats and papers shall be filed and recorded in each of the counties
 14 and districts interested.

§ 105. The commissioners shall also, in case a new road is established, allot to
 2 each of such districts the part of such road which each of such districts shall
 3 open and keep in repair, and the part so allotted shall be considered as wholly
 4 belonging to such district. They shall also divide the expenses and damages
 5 which may accrue from such location, widening or alteration, and if they cannot
 6 agree, they shall refer the matter to three disinterested land owners, as
 7 arbitrators, whose decision shall be final.

§ 106. Any person or persons interested in the decision of the commissioners
 2 in determining to or in refusing to lay out, alter, widen or vacate any road
 3 or revoking any previous order or decision relative to any road, or in the
 4 verdict of any jury in assessing damages in opening, altering or vacating any
 5 road, may appeal from such decision to the county or circuit court, within
 6 ten days after such decision has been rendered, by filing a written petition
 7 with the justice of the peace, or the commissioners of highways, from whose

8 decision they desire to appeal, asking for an appeal, and stating on what
9 grounds such appeal is taken.

§ 107. Any parties taking an appeal from the award or decision of the
2 highway commissioners, or the verdict of the jury, shall file a sufficient bond
3 with the justice of the peace, or district clerk, before taking such appeal,
4 conditioned for the payment of the costs of such appeal, in case the decision
5 of the commissioners or the verdict of the jury is in all things sustained,
6 or the appeal dismissed; if the award of the highway commissioners, or verdict
7 of the jury shall not be sustained, the district shall pay the cost of such
8 appeal.

§ 108. When the commissioners of one district disagree with the com-
2 missioners of an adjoining district, in regard to the laying out of a new road
3 or the alteration, widening or vacation of an old road on any county or
4 district line, appeals may be taken from such decision in the same manner as
5 where the road is wholly in one district.

§ 109. All roads heretofore laid out upon district or county lines, shall be
2 divided, allotted and kept in repair in the manner as hereinbefore directed.
3 Any public road that is or shall hereafter be laid out on a county or district
4 line, shall be held to be a road on a county or district line, although, owing
5 to the topography of the ground along said county or district line, or at the
6 crossing of any stream of water, the proper authorities, in establishing or
7 locating such road, may have located a portion of the same to one side of
8 such county or district line.

§ 110. Roads may be laid out and opened upon the line between this and
2 any adjoining State, as provided in the preceding sections, whenever the laws
3 of such adjoining State shall be applicable.

§ 111. If the commissioners shall wilfully refuse or neglect to perform any
2 of the duties enjoined upon them by this act, they shall severally forfeit not
3 less than ten dollars nor more than fifty dollars, and may be proceeded
4 against, in the name of the district, severally or jointly, for the recovery of
5 such forfeiture before any justice of the peace in the proper county having
6 jurisdiction.

§ 112. The commissioners of highways may, when they shall deem it
 2 advisable, put up and maintain in conspicuous places, at each end of any
 3 bridge, a notice with the following words in large characters: "Five dollars
 4 fine for riding or driving on this bridge faster than a walk." If any person
 5 shall ride or drive over any bridge upon which such notice has been placed
 6 faster than a walk, he shall forfeit to the district in which such bridge is
 7 located five dollars for every such offense.

§ 113. In addition to the notices now required by law, in proceedings for
 2 laying out, locating or opening of public roads, similar notices shall be
 3 served on any railroad company, across or alongside of whose railroad it may
 4 be proposed to locate a public road: *Provided*, that this act shall not apply
 5 to the proceedings for opening streets in towns or cities.

§ 114. The notices, as provided by this act, shall be served by delivering a
 2 copy thereof to the station agent of any such railroad company nearest to
 3 the proposed location of such projected public road.

§ 115. That an act entitled "An act in regard to gateways, roads and
 2 bridges in counties not under township organization," approved and in force
 3 April 18, 1873, and all other acts or parts of acts inconsistent herewith, be
 4 and the same are hereby repealed: *Provided*, that the repeal of said act
 5 shall not affect any suit or proceedings pending, or impair any right existing
 6 at the time this act shall take effect: *And, provided also*, that the supervisors
 7 in office when this act takes effect shall continue in office till the expiration
 8 of their terms, and the road tax and road labor then due shall not be released
 9 from its obligations, and the delinquent list shall be duly returned and
 10 collected as now provided, the avails of which shall be paid to the treasurer
 11 of the commissioners.

1. Received from House April 25, 1887, and ordered to first reading.
2. First reading May 9, 1887, and referred to Committee on Mines and Mining.
3. Reported back May 12, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections three (3) as amended June 18, 1883, in force July 1, 1883, and amended June 30, 1885, in force July 1, 1885, section four (4) as amended June 21, 1883, in force July 1, 1883, and amended June 30, 1885, in force July 1, 1885, section six (6) as amended June 18, 1883, in force July 1, 1883, section seven (7), section eight (8), section fourteen (14) and section sixteen (16) of an act entitled "An act to provide for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879, as amended June 18, 1883, and June 21, 1884, in force July 1, 1883, and as amended June 30, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections three (3), four (4), six (6), seven (7),
3 eight (8), fourteen (14) and sixteen (16) of "An act to provide for the health
4 and safety of persons employed in coal mines," approved May 28, 1879, in
5 force July 1, 1879, as amended June 18, 1883, and June 21, 1883, in force
6 July 1, 1883, and as amended June 30, 1885, and in force July 1, 1885,
7 be and are hereby amended to read as follows:

8 "Section 3. In all coal mines that are or have been in operation prior to
9 the first day of July, 1879, and which are worked by or through a shaft,
10 slope or drift, if there is not already an escapement to each and every said
11 coal mine, or a communication between every such coal mine and some other
12 contiguous mine, then there shall be an escapement shaft or such other com-

13 munication as shall be approved by the mine inspector, making at least two
14 distinct means of ingress and egress for all persons employed or permitted to
15 work in such coal mine. Such escapement shaft or communication with a
16 contiguous mine, as aforesaid, shall be constructed in connection with every
17 vein or stratum of coal worked in such mine, and all passage ways commu-
18 nicating with the escapement shafts or places of exit, shall be at least five feet
19 wide and five feet high. In all cases where the working face of one mine has
20 by the agreement of adjacent owners been driven into the workings of another
21 mine the respective owner of such mine while operating the same shall keep
22 open a roadway at least five feet wide and five feet high, thereby forming a
23 communication as contemplated in this act, and in no case hereafter shall the
24 workings of any mine be driven closer than twenty-five feet to the line of land
25 of any adjacent owner without the written consent of such owner. And in all
26 cases where the shaft of one mine has been used or may be hereafter used as
27 an air or escapement shaft for another mine, neither owner or operator shall
28 close or obstruct his shaft or workings so as to prevent the use of the same as
29 an escapement or air shaft without first giving one year's notice in writing to
30 the other operator or owner of his intention to abandon his mine. But the opera-
31 tor continuing the working of his mine shall be at the expense of keeping such
32 abandoned workings in repair; each and every such escapement shaft shall be
33 separated from the main shaft by such extent of natural strata as shall secure
34 safety to the men employed in such mines; and before any escapement shaft
35 shall be located, or the excavations for it begun, the district inspector of
36 mines shall be duly notified to appear and determine what shall be a suitable
37 distance for the same, the distance from main shaft for such escapement
38 shall not be less than 300 feet without the consent of the mine inspector,
39 nor more than 300 feet without the consent of the operator. Such escape-
40 ment shafts as shall be equipped after the passage of this act shall be supplied
41 with stairways, partitioned off from the main airway, and having substantial
42 handrails and platforms, and such stairways shall be built at an angle not
43 greater than forty-five degrees: *Provided*, That in lieu of stairways such
44 hoisting apparatus may be substituted as will insure the safe and speedy

47 to travel upon any stairways or ladders. The time to be allowed for sinking
48 such escapement shafts as are now required by law, shall be one year for
49 sinking any shaft two hundred feet or less in depth, and one additional year,
50 or pro rata portion thereof, for every additional two hundred feet or fraction
51 thereof. Time shall be reckoned from the date on which coal is first hoisted
52 from the original shaft for sale or use; and it shall be the duty of the
53 inspectors of mines to see that all escapement shafts are begun in time to
54 secure their completion within the period here specified: *And, provided,*
55 *further,* that nothing in this section shall be construed to extend the time
56 heretofore allowed by law for constructing escapement shafts.

57 "Section 4. The owner, agent or operator of every coal mine, whether
58 operated by shaft, slope or drift, shall provide and maintain for every such
59 mine a good and sufficient amount of ventilation for such men and animals
60 as may be employed therein, the amount of air in circulation to be in no case
61 less than one hundred cubic feet for each man and six hundred cubic feet for
62 each animal, per minute, measured at the foot of the downcast, and the
63 same to be increased at the discretion of the inspector according to the
64 character and extent of the workings, or the amount of powder used in
65 blasting; and said volume of air shall be forced and circulated to the face
66 of every working place throughout the mine, so that said mine shall be free
67 from standing powder smoke and gases of every kind. Whenever the
68 inspector shall find men working without sufficient air, or under any unsafe
69 the conditions, he shall first give the operator a reasonable notice to rectify the
70 same, and upon his refusal so to do may himself order them out until said
71 portions of said mine shall be put in proper condition. All mines in which
72 men are employed shall be examined every morning by a duly authorized
73 agent of the proprietor, to determine whether there are any dangerous
74 accumulations of gas, or lack of proper ventilation, or obstructions to road-
75 ways, or any other dangerous conditions, and no person shall be allowed
76 to enter the mine until such examiner shall have reported all the condi-

79 shall be open at all times to the examination of the inspector. The cur-
80 rents of air in mines shall be split so as to give a separate current to
81 at least every one hundred men at work, and inspectors shall have dis-
82 cretion to order a separate current for a smaller number of men if special
83 conditions render it necessary. The ventilation required by this section
84 may be produced by any suitable appliances, but in case a furnace shall
85 be used for ventilating purposes it shall be built in such a manner as to
86 prevent the communication of fire to any part of the works by lining the
87 upcast with incombustible material for a sufficient distance up from said
88 furnace: *Provided*, it shall not be lawful to use a furnace for ventilating
89 purposes, or for any other purpose, that shall emit smoke into any com-
90 partment constructed in, or adjoining any hoisting shaft or slope where
91 the hoisting shaft or slope is the only means provided for the ingress and
92 egress of persons employed in said coal mines. That it shall be unlawful,
93 where there is but one means of ingress and egress provided at a coal
94 shaft or slope, to construct and use a ventilating furnace that shall emit
95 smoke into a shaft, as an upcast, where the shaft or slope used as a
96 means of ingress or egress by persons employed in said coal mines is the
97 only means provided for furnishing air to persons employed therein.

98 "Section 6. The owner, agent or operator of every coal mine operated by
99 shaft shall provide safe means of hoisting and lowering persons in a cage
100 covered with boiler iron, so as to keep safe, so far as possible, persons descending
101 into and ascending out of such shaft, and such cage shall be furnished
102 with guides to conduct it on slides through such shaft, with a sufficient brake
103 on every drum to prevent accident in case of the giving out or breaking of
104 the machinery; and such cage shall be furnished with safety catches intended
105 and provided as far as possible, to prevent the consequences of cable-breaking
106 or the loosening or disconnecting of machinery. No person under the age
107 of fourteen years, nor females of any age shall be permitted to enter any mine
108 to work therein; and before any boy shall be permitted to work in any mine

45 removal of persons employed in such mines in case of danger. No accumu-
46 lations of ice shall be permitted in any escapement shaft nor any obstructions
47 to travel upon any stairways or ladders. The time to be allowed for sinking
48 such escapement shafts as are now required by law, shall be one year for
49 sinking any shaft two hundred feet or less in depth, and one additional year,
50 or pro rata portion thereof, for every additional two hundred feet or fraction
51 thereof. Time shall be reckoned from the date on which coal is first hoisted
52 from the original shaft for sale or use; and it shall be the duty of the
53 inspectors of mines to see that all escapement shafts are begun in time to
54 secure their completion within the period here specified: *And, provided,*
55 *further,* that nothing in this section shall be construed to extend the time
56 heretofore allowed by law for constructing escapement shafts.

57 "Section 4. The owner, agent or operator of every coal mine, whether
58 operated by shaft, slope or drift, shall provide and maintain for every such
59 mine a good and sufficient amount of ventilation for such men and animals
60 as may be employed therein, the amount of air in circulation to be in no case
61 less than one hundred cubic feet for each man and six hundred cubic feet for
62 each animal, per minute, measured at the foot of the downcast, and the
63 same to be increased at the discretion of the inspector according to the
64 character and extent of the workings, or the amount of powder used in
65 blasting; and said volume of air shall be forced and circulated to the face
66 of every working place throughout the mine, so that said mine shall be free
67 from standing powder smoke and gases of every kind. Whenever the
68 inspector shall find men working without sufficient air, or under any unsafe
69 the conditions, he shall first give the operator a reasonable notice to rectify the
70 same, and upon his refusal so to do may himself order them out until said
71 portions of said mine shall be put in proper condition. All mines in which
72 men are employed shall be examined every morning by a duly authorized
73 agent of the proprietor, to determine whether there are any dangerous
74 accumulations of gas, or lack of proper ventilation, or obstructions to road-
75 ways, or any other dangerous conditions, and no person shall be allowed
76 to enter the mine until such examiner shall have reported all the condi-

1. Introduced by Mr. Orendorf, January 27, 1887, and ordered to first reading.
2. First reading January 27, 1887, and referred to Committee on Fees and Salaries.
3. Reported back February 3, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 45 of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section forty-five (45) of an act entitled "An
3 act concerning fees and salaries, and to classify the several counties of this
4 State with reference thereto," approved March 29, 1872, in force July 1, 1872;
5 title as amended by act approved March 28, 1874, in force July 1, 1874, be
6 amended so as to read as follows, to-wit:

7 "Section 45. The fee of each juror attending an inquest held over a dead
8 body shall be one dollar per day, payable out of the county treasury. The
9 coroner holding such inquest shall furnish to each of the jurors aforesaid a
10 certificate of the number of days' attendance at such inquest, and upon
11 presentation thereof to the county treasurer, he shall pay to such juror the
12 sum as above provided for his said services."

1. Introduced by Mr. Funk, January 27, 1887, and ordered to first reading.
2. First reading January 27, 1887, and referred to Committee on Judiciary.
3. Reported back March 2, passage recommended, and ordered to second reading.

A BILL

For "An Act to amend section one, of an act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one, of "An act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874, be amended to read as follos:

"Section 1. That hereafter marriages between parents and children, including grand-parents and grand-children of every degree, between brothers and sisters of the half, as well as of the whole blood, between uncles and nieces, aunts and nephews, and between consins of the first degree, are declared to be incestuous and void. This section shall extend to illegitimate, as well as legitimate children and relations."

1. Introduced by Mr. Southworth, January 27, 1887, and ordered to first reading.
2. First reading January 27, 1887, and referred to Committee on Appropriations.
3. Reported back February 17, with amendment, passage recommended and ordered to second reading.

A BILL

For An Act making an appropriation for the repairs and completion of the Lincoln Monument near Springfield, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of twenty-five thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of repairing and completing the Lincoln Monument at Oak Ridge Cemetery near Springfield, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for said sum in favor of, and payable to the order of the treasurer of the Lincoln Monument Association, having the care of and control of said monument.

AMENDMENT.

Amend by striking out the words "and completion" in the original bill in line two, also by striking out in the eighth line of said bill the words "twenty-five" and insert in lieu thereof the word "fifteen," also by striking out the words "and completing" in the twelfth line of said bill.

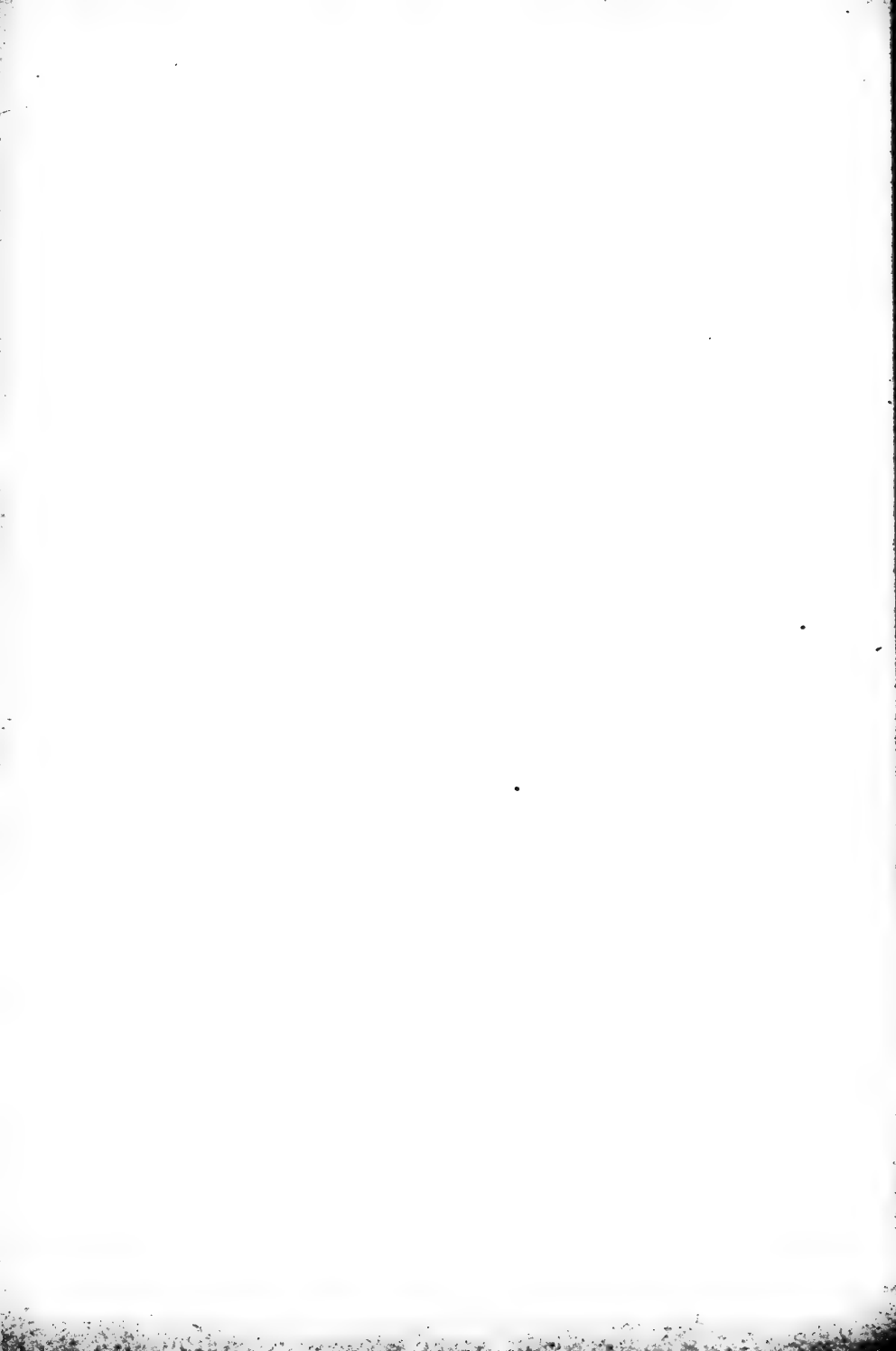
1. Introduced by Mr. Southworth, January 27, 1887, and ordered to first reading.
 2. First reading January 27, 1887, and referred to Committee on Appropriations.
 3. Reported back February 17, with amendment, passage recommended and ordered to second reading.
 4. Second reading March 2, 1887, amended April 20, 1887, and ordered to second reading.
-

A BILL

For An Act making an appropriation for the repairs and completion of the Lincoln Monument near Springfield, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of ten thousand dollars, or as much thereof as may be required, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of repairing the Lincoln Monument at Oak Ridge Cemetery near Springfield, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for said sum in favor of, and payable to the order of the treasurer of the Lincoln Monument Association, having the care of and control of said monument, upon bills of particulars certified to by the executive committee of the Lincoln Monument Association, approved by the Governor.



1. Received from House May 19, 1887, and ordered to first reading.
2. First reading June 9, 1887, and ordered to second reading.

A BILL

For An Act to amend two hundred and seventy-two b, and two hundred and seventy-two c, of division one of an act entitled "An act in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by an act entitled "An act in relation to the punishment of criminals," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections two hundred and seventy-two b, and
3 two hundred and seventy-two c, of division one of an act entitled "An act in
4 relation to criminal jurisprudence," approved March 27, 1874, in force July 1,
5 1874, as amended by an act entitled "An act in relation to the punishment of
6 criminals," approved June 23, 1883, and in force July 1, 1883, be amended so
7 as to read as follows:

8 "Section 272 b. That whenever any person having been convicted, sentenced
9 and imprisoned in some penal institution for felony, whether committed here-
10 tofore or hereafter in this State, or elsewhere within the limits of the United
11 States of America, shall thereafter be convicted of any felony committed after
12 such first conviction, the punishment shall be imprisonment in the penitentiary
13 for the full time provided by law for such crime at the time of such last con-
14 viction therefor; and whenever any such person, having been so convicted, sen-
15 tenced and imprisoned the second time as above provided, shall be again
16 convicted of any felony committed after said second conviction, sentence and
17 imprisonment, in this State, or elsewhere within the limits of the United States

18 of America, shall be deemed and taken to be an habitual criminal, and pun-
19 ished by imprisonment in the penitentiary for life, unless pardoned by the
20 Governor: *Provided*, that such former conviction or convictions and judg-
21 ment or judgments shall be set forth in apt words in the indictment: *It is*
22 *further provided*, that whenever any person who is imprisoned under a third
23 sentence, may, in the discretion of the board of managers, be allowed to go
24 upon parole outside of the buildings and enclosures, but to remain while on parole
25 in the legal custody and control of said board, and subject at any time to be taken
26 back within the enclosure of said institution; and power is hereby conferred
27 upon said board to establish rules and regulations under which such habitual
28 criminals may go out under parole, and full power to enforce such rules and
29 regulations, and to retake and commit and convict so going out on parole, is
30 hereby conferred upon such board, whose written order, certified by its secre-
31 tary, shall be sufficient warrant to authorize any sheriff, coroner, constable,
32 city, village or town marshal, chief of police, or policeman of any city, village
33 or town within the State of Illinois, to return to actual custody any such
34 paroled prisoner; and it is hereby made the duty of every such officer to execute
35 any such orders in like manner as any warrant coming to such official's hand
36 and he shall be paid by said board such compensation as is by law provided for
37 like services."

38 "Section 272 c. On any trial for any prosecution as set out in section 272 b
39 of this act a duly authenticated copy of the record of a former conviction and
40 judgment of any court of record, for any felony against the party indicted, shall
41 be prima facie evidence of such former conviction and may be used in evidence
42 against such party."

1. Introduced by Mr. Higgins, January 27, 1887, and ordered to first reading.
 2. First reading January 27, 1887, and referred to committee on Penal and Reformatory Institutions.
 3. Reported back April 8, 1887, passage recommended and ordered to second reading.
-

A BILL

For An Act to consolidate the Board of Commissioners of the Illinois State Penitentiary at Joliet and the Board of Commissioners of the Southern Illinois Penitentiary at Chester.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Board of Commissioners of the Illinois State Penitentiary at Joliet and the Board of Commissioners of the Southern Illinois Penitentiary at Chester shall be consolidated, and from the time this act shall take effect there shall be but one board of commissioners for the penitentiaries of this State, which board of commissioners shall consist of three members.

§ 2. The board of commissioners shall be appointed by the Governor, by and with the consent and advice of the Senate, and shall be subject to removal by the Governor at his discretion; which removal and the cause thereof shall be reported by the Governor to the next General Assembly. The members of the first board of commissioners shall hold their office for the term of two, four and six years, respectively, to be determined by lot after appointed, and biennially thereafter there shall be appointed by the Governor, by and with the advice and consent of the Senate, one penitentiary commissioner, who shall hold his office for the term of six years, unless sooner removed by the Governor. In case of any vacancy occasioned by the removal

11 from the State by any person so appointed, or death, or resignation, or non-
12 occupancy of the office, or removal from office by the Governor of any such
13 person so appointed, the Governor shall immediately appoint a person to fill
14 such vacancy for the residue only of the term, and all appointments made by
15 the Governor when the Senate is not in session shall be valid until acted
16 upon by the Senate at its next session.

§ 3. The duties of the Board of Commissioners shall be the same as now
2 required by law of the Commissioners of the Illinois State Penitentiary at
3 Joliet and the Commissioners of the Southern Illinois Penitentiary at Chester,
4 and their compensation shall be at the rate of \$2,000 per annum. All acts or
5 parts of acts inconsistent with this act are hereby repealed.

1. Introduced by Mr. Wheeler, January 27, 1887, and ordered to first reading.
2. First reading January 27, 1887, and referred to Committee on Judicial Department.
3. Reported back February 18, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) and three (3) of an act entitled "An act to provide for Fees of Clerks of Probate Courts in counties of the third class," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1) and three (3) of an act entitled "An act to provide for fees of clerks of probate courts in counties of the third class," approved May 29, 1879, in force July 1, 1879; be, and the same is hereby amended so as to read as follows:

"Section 1. That the clerks of probate courts in counties of the third class, shall be entitled to receive the fees herein specified, for the services mentioned, and such other fees as may be provided by law for other services not herein designated:

For taking proof of last will and testament, or codicil, when proved separately, and endorsing certificate of probate thereon and for entering order admitting to probate last will and testament or codicil, and granting letters testamentary, \$7.00.

For granting letters of administration, guardianship or conservatorship, \$5.00.

For filing for any purpose, 25 cents.

For taking and approving bond of executor or administrator, guardian, conservator or any other bond required by law to be taken, \$1.00.

- 18 For certified copies of letters testamentary of administration, of guardian
19 ship or conservatorship, \$1.00.
- 20 And in addition thereto 15 cents for each one hundred words contained in said
21 will and codicil.
- 22 For issuing warrants to appraisers, \$1.00.
- 23 For taking and filing renunciation of executor or of right to administer,
24 50 cents.
- 25 For filing and docketing each claim against estates and for entering order
26 allowing or dismissing same, \$1.50.
- 27 For entering order reinstating or re-filing and redocketing each claim, \$1.50.
- 28 For filing and docketing proof of notice for adjustment of claims, \$1.00.
- 29 For filing and docketing assignment of claims or judgment, \$1.00.
- 30 On petition for appointment of conservator and petition for sale of real estate
31 by executor, administrator, guardian or conservator, docketing and filing the
32 same, a docket fee of \$6.00.
- 33 For each cause tried by a jury, a jury fee of \$3.00 to be prepaid by the
34 party calling for the jury; and in case of an application for appointment
35 of a conservator, when a conservator is appointed, to be taxed against
36 the estate of the person for whom the conservator is appointed, and in
37 case of a claim the costs to be taxed against the unsuccessful party, and
38 collected as other taxed costs.
- 39 For entering order, docketing, filing and issuing citation, \$1.00.
- 40 For issuing and filing subpoena, 25 cents.
- 41 For issuing *dedimus potestatem*, \$1.00.
- 42 For issuing, docketing and filing execution, \$1.00.
- 43 For proof of heirship, \$1.00.
- 44 For writ of attachment for contempt of court, \$1.00.
- 45 For every certificate under seal of court issued by clerk except as herein other-
46 wise provided, 50 cents.

- 47 For discharge of executors, administrators, guardians or conservators or any
- 48 sureties on their bonds, \$2.50.
- 49 For entering any order not herein otherwise provided for, 75 cents.
- 50 For issuing summons and filing same, 75 cents.
- 51 For administering each oath, 15 cents.
- 52 For recording all papers, instruments, documents and writings required by law
- 53 or order of court to be recorded, for each one hundred words, 15 cents.
- 54 On application for the grant of letters testamentary, of administration, guardi-
- 55 anship or conservatorship it shall be the duty of the applicant to state in his or
- 56 her petition the value of all the real and personal estate of such deceased person,
- 57 infant, idiot, insane person, lunatic, distracted person, drunkard or spendthrift as
- 58 the case may be, and on the grant of letters testamentary, administration, guar-
- 59 dianship or conservatorship there shall be paid to the clerk of said probate court
- 60 from the proper estate, and charged as cost of a docket fee, as follows:
- 61 When the estate does not exceed \$5,000, \$5.00.
- 62 When the estate exceeds \$5,000 and does not exceed \$20,000, \$10.00.
- 63 When the estate exceeds \$20,000 and does not exceed \$50,000, \$20.00.
- 64 When the estate exceeds \$50,000 and does not exceed \$100,000, \$50.00.
- 65 When the estate exceeds \$100,000 and does not exceed \$300,000, \$100.00.
- 66 When the estate exceeds \$300,000 and does not exceed \$1,000,000, \$250.00.
- 67 In all cases when such estates amounts to \$1,000,000 and upwards, \$1,000.00.
- 68 In all cases where any deceased person shall leave him or her surviving
- 69 a widow or children resident of this State, who are entitled out of said
- 70 estate to a widow's or child's award, and the entire estate, real and
- 71 personal, of such deceased person shall not exceed \$2,000, and in case of
- 72 any minor whose estate, real and personal does not exceed the sum of
- 73 \$1,000, and whose father is dead, and in all cases of any idiot insane
- 74 person, lunatic, or a distracted person, drunkard or spendthrift, when such
- 75 person has a wife or infant child dependent on such person for support,
- 76 and the entire estate of such person shall not exceed the sum of \$2,000,
- 77 the probate judge by order of court may remit and release to such estate

78 all or so much of the costs herein provided for, as in his judgment he
79 may deem proper.”

80 “Section 3. All acts or parts of acts in conflict with this act are hereby
81 repealed.”

1. Introduced by Mr. Wheeler, January 27, 1887, and ordered to first reading.
 2. First reading January 27, 1887, and referred to Committee on Judicial Department.
 3. Reported back February 18, 1887, passage recommended, and ordered to second reading.
 4. Second reading March 10, 1887, amended, and ordered to third reading.
-

A BILL

For An Act to amend section one (1) and three (3) of an act entitled "An act to provide for Fees of Clerks of Probate Courts in counties of the third class," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly:* That sections one (1) and three (3) of an act entitled
3 "An act to provide for fees of clerks of probate courts in counties of the
4 third class," approved May 29, 1879, in force July 1, 1879, be and the same
5 is hereby amended so as to read as follows:

6 "Section 1. That the clerks of probate courts in counties of the third class
7 shall be entitled to receive the fees herein specified, for the services mentioned,
8 and such other fees as may be provided by law for other services not herein
9 designated:

10 For taking proof of last will and testament, or codicil when proved separately,
11 and endorsing certificate of probate thereon, and for entering order admit-
12 ting to probate last will and testament, or codicil, and granting letters
13 testamentary, \$7.00.

14 For granting letters of administration, guardianship or conservatorship, \$5.00.

15 For filing for any purpose, 25 cents.

- 16 For taking and approving bond of executor or administrator, guardian,
 17 conservator, or any other bond required by law to be taken, \$1.00.
- 18 For certified copy of letters testamentary of administration, of guardianship
 19 or conservatorship, \$1.00.
- 20 And in addition thereto 15 cents for each one hundred words contained in
 21 said will or codicil.
- 22 For issuing warrants to appraisers, \$1.00.
- 23 For taking and filing renunciation of executor or of right to administer,
 24 50 cents.
- 25 For filing and docketing each claim against estates, and for entering order
 26 allowing or dismissing same, \$1.50.
- 27 For entering order reinstating or refiling and re-docketing each claim, \$1.50.
- 28 For filing and docketing proof of notice for adjustment of claims, \$1.00.
- 29 For filing and docketing assignment of claims or judgment, \$1.00.
- 30 On petition for appointment of conservator, and petition for sale of real estate
 31 by executor, administrator, guardian or conservator, docketing and filing the
 32 same, a docket fee of \$6.00.
- 33 For each cause tried by a jury, a jury fee of \$3.00 to be prepaid by the
 34 party calling for the jury; and in case of an application for appointment of
 35 a conservator, when a conservator is appointed, to be taxed against the
 36 estate of the person for whom the conservator is appointed; and in case
 37 of a claim, the costs to be taxed against the unsuccessful party, and collected
 38 as other taxed costs.
- 39 For entering order, docketing, filing and issuing citation, \$1.00.
- 40 For issuing and filing subpoena, 25 cents.
- 41 For issuing *dedimus potestatem*, \$1.00.
- 42 For issuing, docketing and filing execution, \$1.00.
- 43 For proof of heirship, \$1.00.
- 44 For writ of attachment for contempt of court, \$1.00.
- 45 For every certificate under seal of court issued by clerk, except as herein
 46 otherwise provided, 50 cents.

47 For discharge of executors, administrators, guardians or conservators or any
 48 sureties on their bonds, \$2.50.
 49 For entering any order not herein otherwise provided for, 75 cents.
 50 For issuing summons and filing same, 75 cents.
 51 For administering each oath, 15 cents.
 52 For recording all papers, instruments, documents and writings required by law
 53 or order of court to be recorded, for each one hundred words, 15 cents.
 54 On application for the grant of letters testamentary, of administration,
 55 guardianship or conservatorship it shall be the duty of the applicant to state
 56 in his or her petition the value of all the real and personal estate of such
 57 deceased person, infant, idiot, insane person, lunatic, distracted person, drunkard
 58 or spendthrift, as the case may be, and on the grant of letters testamentary,
 59 administration, guardianship or conservatorship there shall be paid to the
 60 clerk of said probate court from the proper estate, and charged as costs,
 61 a docket fee, as follows:
 62 When the estate does not exceed \$5,000, \$5.00.
 63 When the estate exceeds \$5,000 and does not exceed \$20,000, \$10.00.
 64 When the estate exceeds \$20,000 and does not exceed \$50,000, \$20.00.
 65 When the estate exceeds \$50,000 and does not exceed \$100,000, \$50.00.
 66 When the estate exceeds \$100,000 and does not exceed \$300,000, \$100.00.
 67 When the estate exceeds \$300,000 and does not exceed \$1,000,000, \$250.00.
 68 In all cases when such estate amounts to \$1,000,000 and upwards,
 69 \$1,000.00.
 70 In all cases where any deceased person shall leave him or her surviving
 71 a widow or children resident of this State, who are entitled out of said
 72 estate to a widow's or child's award, and the entire estate real and personal,
 73 of such deceased person shall not exceed \$2,000, and in case of any minor
 74 whose estate real and personal does not exceed the sum of \$1,000, and
 75 whose father is dead, and in all cases of any idiot, insane person, lunatic,
 76 or a distracted person, drunkard or spendthrift, when such person has a
 77 wife or infant child dependent on such person for support, and the entire

78 estate of such person shall not exceed the sum of \$2,000, the probate
79 judge (by order of court) may remit and release to such estate all of
80 the costs herein provided for."

81 Section 3. All acts or parts of acts in conflict with this act are hereby
82 repealed."

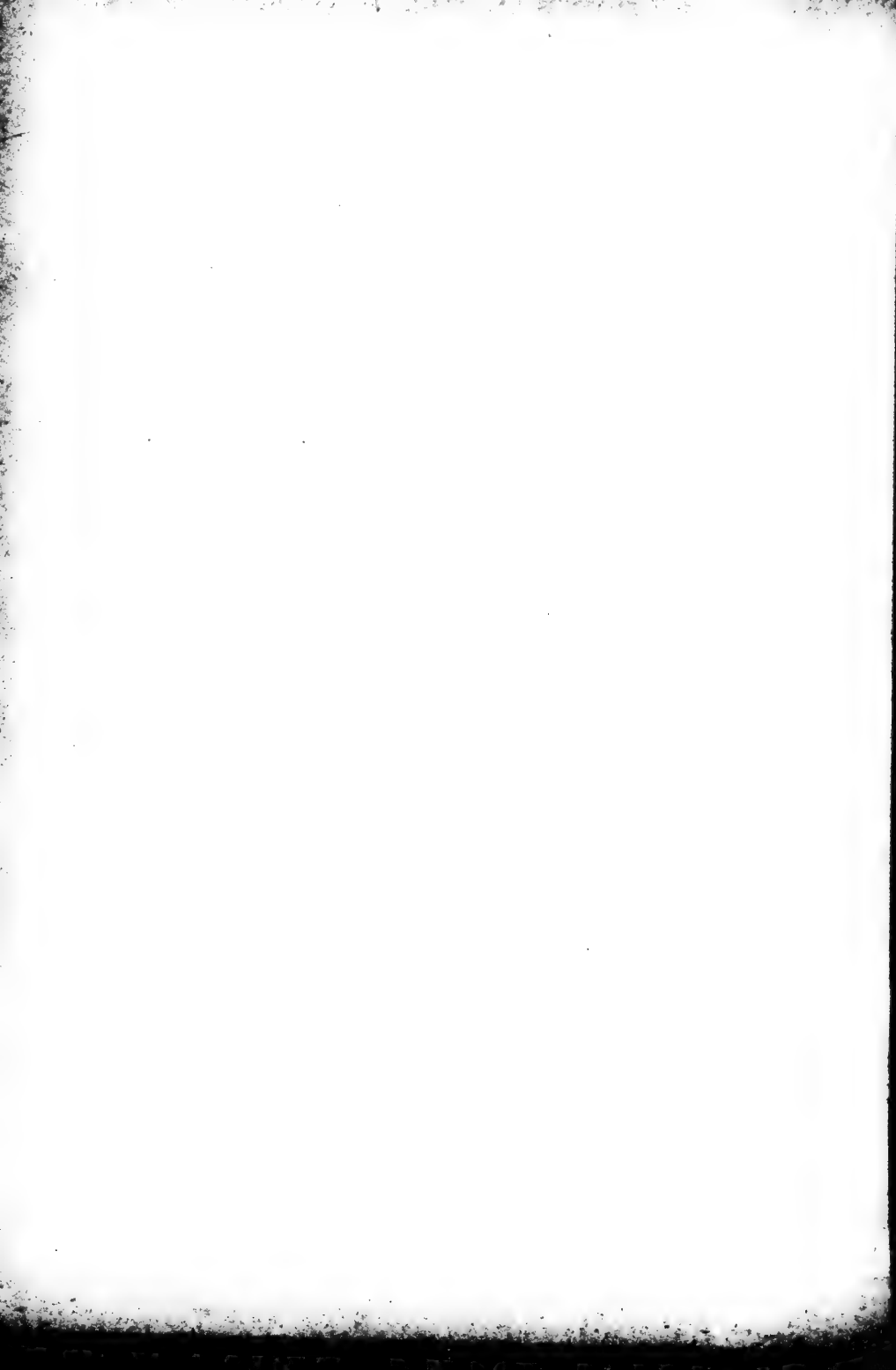
1. Received from House May 11, 1887.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to prevent alien landlords from including the payment of taxes in the rent of farm lands as a part of the rental thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That no contract, agreement or lease in writing
3 or by parol, by which any lands or tenements therein are devised or
4 leased by any alien or his agents for the purpose of farming, cultivation or
5 the raising of crops thereon, shall contain any provision requiring the
6 tenant or other person for him, to pay taxes on said lands or tenements,
7 or any part thereof, and all such provisions, agreements and leases so
8 made are declared void as to the taxes aforesaid. If any alien landlord or
9 his agents shall receive in advance or at any other time any sum of money
10 or article of value from any tenant in lieu of such taxes, directly or
11 indirectly, the same may be recovered back by such tenant before any
12 court having jurisdiction of the amount thereof, and all provisions or agree-
13 ments in writing or otherwise to pay such taxes shall be held in all
14 courts of this State to be void.



1. Introduced by Mr. Shutt, January 27, 1887, and ordered to first reading.
 2. First reading January 27, 1887, and referred to Committee on Appropriations.
 3. Reported back February 3, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to appropriate the sum of three hundred dollars to pay the necessary expenses of holding joint memorial services to be held in the hall of the House of Representatives on the 22d day of February, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of three hundred dollars, or so much thereof as may be necessary, be, and is hereby appropriated out of any moneys now in the State Treasury, not otherwise appropriated, to defray the necessary expense of holding memorial service to be held in the hall of the House of Representatives on the 22d day of February, 1887, on the life, character and public services of Hon. David Davis and Hon. John A. Logan.

§ 2. That said sum, or so much thereof as may be necessary, be paid upon vouchers duly attested by the chairmen of the Senate and House joint committee on joint memorial exercises, and approved by the President of the Senate and Speaker of the House of Representatives.

§ 3. Whereas, an emergency exists, therefore, this act shall be in force and take effect from and after its passage.



1. Received from House April 27, 1887, and ordered to first reading.
 2. First reading May 26, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend section seven of an act entitled "An act to regulate the practice of pharmacy in the State of Illinois."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section seven (7) of an act entitled "An act
3 to regulate the practice of pharmacy in the State of Illinois," approved May
4 30, 1881, in force July 1, 1881, be and the same is hereby amended so as to
5 read as follows:
6 "Section 7. Licentiates in pharmacy shall, at the time of passing their
7 examination, be registered by the Secretary of the State Board of Pharmacy,
8 as registered pharmacists. Registered assistant pharmacists holding valid
9 certificates as such may become registered as registered pharmacists upon
10 making application to the Board of Pharmacy and paying a fee of two dollars
11 therefor. No person shall hereafter be registered as a registered pharmacist
12 except registered assistant pharmacists and registered pharmacists holding
13 valid certificates as such, in force at the time this amendment takes effect,
14 and licentiates in pharmacy."

1. Introduced by Mr. Gore, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, passage recommended, and ordered referred to Committee on Appropriations.
4. Reported back April 14, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations to the Illinois Central Hospital for the Insane at Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following amounts be and are hereby
3 appropriated to the Illinois Central Hospital for the Insane at Jacksonville:

4 For defraying the ordinary expenses of said hospital from July 1, 1887,
5 until the expiration of the first fiscal quarter after the adjournment of the
6 next General Assembly, the sum of one hundred and fifty thousand (\$150,000)
7 dollars per annum, payable quarterly in advance.

8 For repairs and contingent fund the sum of seven thousand (\$7,000)
9 dollars per annum.

10 For improvement of grounds one thousand (\$1,000) dollars per annum.

11 For building brick stable and carriage house, seven thousand (\$7,000)
12 dollars.

13 For extending eighteen (18) dining rooms, seven thousand two hundred
14 and eighty-two (\$7,282) dollars.

15 For a storehouse, five thousand (\$5,000) dollars.

16 For building a slaughter and packing house, six thousand (\$6,000) dollars.

17 For removing and rebuilding piggery, two thousand (\$2,000) dollars.

18 For procuring four (4) steam boilers and putting the same in place, con-
 19 nected up ready for use, six thousand (\$6,000) dollars.
 20 For an electric light plant for both buildings, twelve thousand (\$12,000)
 21 dollars.

§ 2. The moneys herein appropriated shall be due and payable to the
 2 trustees of the aforesaid institution, or their order, only on the terms and
 3 in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 149.

1 Amend line 22, page 1, by striking out the word "one" and insert the
 2 word "two" in lieu thereof.

3 Also amend line 23 by striking out the word "thousand" and insert the
 4 words "hundred and fifty" in lieu thereof." Also amend in same line by
 5 striking out the figures "1,000" and insert the figures "250" in lieu thereof."

6 Also amend by striking out lines 24 and 25.

7 Also amend line 27 by striking out the words "seven thousand two hun-
 8 dred" and insert the words "five thousand" in lieu thereof.

9 Also amend line 28 by striking out the words "and eighty-two;" also
 10 amend in same line by striking out the figures "7,282" and insert the
 11 figures "5,000" in lieu thereof.

12 Also amend by striking out lines 1, 2, 3, 4 and 5, on page 2.

13 Also amend line 7, page 2, by striking out the word "two," and insert
 14 the word "one." Also amend in same line by striking out the figures "2,000,"
 15 and insert the figures "1,000" in lieu thereof.

16 Also amend line 11, page 2, by striking out the word "six" and insert
 17 the word "four." Also amend in same line by striking out the figures
 18 "6,000," and insert the figures "4,000," in lieu thereof.

19 Also amend by striking out lines 12, 13 and 14.

1. Introduced by Mr. Gore, January 28, 1887, and ordered to first reading.
2. First reading, January 28, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, passage recommended, and ordered referred to Committee on Appropriations.
4. Reported back April 14, 1887, with amendments, passage recommended and ordered to second reading.
5. Second reading, April 26, 1887, amended, and ordered to third reading.

A BILL

For An Act making appropriations to the Illinois Central Hospital for the Insane at Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the following amounts be and are hereby*
3 *appropriated to the Illinois Central Hospital for the Insane at Jacksonville:*

4 For defraying the ordinary expenses of said hospital from July 1, 1887,
5 until the expiration of the first fiscal quarter after the adjournment of the
6 next General Assembly, the sum of one hundred and fifty thousand (\$150,000)
7 dollars per annum, payable quarterly in advance.

8 For repairs and contingent fund the sum of seven thousand (\$7,000) dol-
9 lars per annum.

10 For improvement of grounds two hundred and fifty (\$250) dollars per annum.

11 For extending eighteen (18) dining-rooms, five thousand (\$5,000) dollars.

12 For removing and rebuilding piggery, one thousand (\$1,000) dollars.

13 For procuring steam boilers and putting the same in place, connected up
14 ready for use, four thousand (\$4,000) dollars.

§ 2. The moneys herein appropriated shall be due and payable to the trus-
tees of the aforesaid institution, or their order, only on the terms and in the
manner now provided by law.

1. Introduced by Mr. Gore, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 30, 1887, with amendments, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 15, 1887, with amendments and ordered to second reading.

A BILL

For An Act making appropriations for the support of the Illinois Institution for the Education of the Deaf and Dumb, and for other expenses thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That for the purpose of defraying the ordinary ex-*
3 *penses of the Illinois Institution for the Education of the Deaf and Dumb,*
4 *the sum of one hundred thousand dollars (\$100,000) per annum is hereby*
5 *appropriated out of the State treasury, payable quarterly in advance, from the*
6 *first day of July, 1887, until the expiration of the first fiscal quarter after the*
7 *adjournment of the next General Assembly. And that there be and are hereby*
8 *appropriated the further sums of five thousand dollars (\$5,000) per annum for*
9 *repairs and improvements; five hundred dollars (\$500) per annum for pupils'*
10 *library; twenty thousand dollars (\$20,000) for the purchase of land, the title*
11 *of said land to be examined and approved by the Attorney-General before*
12 *the warrant shall be drawn for the amount; eight thousand dollars (\$8,000)*
13 *for the erection of a cottage for little girls; seven thousand dollars (\$7,000)*
14 *for the enlargement and improvement of the grounds of said institution; and*
15 *four thousand dollars (\$4,000) for the extension of the electric light plant of*
16 *said institution.*

1 § 2 The moneys herein appropriated shall be due and payable to the
2 trustees of the aforesaid institution, or their order, on the terms and in the
3 manner now provided by law.

AMENDMENTS PROPOSED BY ~~THE~~ COMMITTEE ON APPROPRIA-
TIONS TO SENATE BILL No. 150.

Amend line 14 by striking out the word "five" and insert the word "four"
2 in lieu thereof.

3 Also amend in same line by striking out the figures "5,000," and insert the
4 figures "4,000" in lieu thereof.

5 Also amend by striking out all after the word "library" in line 16, to and
6 including the word "amount" in line 19.

7 Also amend by striking out all after the word "girls" in line 21, to and
8 including line 24.

1. Received from House April 9, 1887, and ordered to first reading.
2. First reading May 23, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend section sixty-eight of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section 68 of an act entitled "An act to provide*
3 *for the election and qualification of justices of the peace and constables, and to*
4 *provide for the jurisdiction and practice of justices of the peace in civil cases,*
5 *and fix the duties of constables, and to repeal certain acts therein named,"*
6 *approved April 1, 1872, be amended so as to read as follows:*

7 "Section 68. In case the appeal from the justice of the peace is perfected
8 by filing the papers and transcript of judgment ten days before the commence-
9 ment of the term of the court to which the appeal is taken, the appearance of
10 the appellee may be entered in writing and filed among the papers in the case;
11 and if so entered ten days before the first day of the term of court, the case
12 shall stand for trial at that term. The appellate court shall have full juris-
13 diction of the appeal for all other purposes than trial after the bond has been
14 transmitted or filed in the appellate court and the appearance of appellee
15 entered. Upon due notice having been given and rule entered, the appellate
16 court may, for non-compliance with rule, dismiss said appeal for failure to file

17 amended bond, when required; to justify sureties in the proper amount; for
18 failure of the appellant to file any paper necessary to perfect his appeal, or for
19 failure to comply with any proper rule of court necessary for the protection of
20 the parties and the furtherance of justice."

1. Received from House, May 9, 1887, and ordered to first reading.
2. First reading May 11, 1887, and ordered to second reading without reference.

A BILL

For An Act to consolidate the county school fund created by act of February 7, 1835, with the township school fund, and make it a part thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the county school fund created by act of
3 February 7, 1835, and additions thereto from other sources now in the
4 hands and custody of the county superintendents of public instruction of
5 the several counties, be distributed among the several townships and parts
6 of townships in each county, to be added to and become a part of the
7 permanent school fund of said townships, and subject to all the provisions
8 of law applicable to said township school fund.

§ 2. It shall be the duty of the said county superintendent to collect
2 all moneys belonging to said county school fund as soon as they become
3 due, and shall semi-annually on the first day of January and on the first
4 day of July of each year, distribute among the said townships all of the
5 principal of said county school fund that may at such times be in his
6 hands by reason of and arising from said collections, or from any other
7 source whatever on the same basis and in the same manner as the interest
8 arising from said county fund is now distributed among said townships or
9 parts of townships for school purposes.

§ 3. Said county superintendents shall immediately after making such
2 division pay over to the township school treasurers of the several townships

3 interested the amounts severally found due such townships, taking their
4 receipts for the amounts severally paid them, and make out and file with
5 the county clerk within ten days after such distribution a sworn state-
6 ment of such distribution semi-annually made of said county school fund,
7 showing the total amount distributed, from what sources received, the
8 amount paid to each township or part of township in said county, and the
9 amount of said county school fund remaining uncollected, and if any por-
10 tion of said fund is past due and is not collected the reason why it re-
11 mains uncollected, and with said statement he shall also file the receipts
12 for the amounts paid the several school treasurers. Said statement and
13 receipts shall by the county clerk be laid before the board of supervisors
14 in counties under township organization, and in counties not under township
15 organization, before the board of county commissioners at their next meeting
16 thereafter, and said board of supervisors or board of county commissioners
17 shall examine said statement and receipts, and if they shall find them to be
18 correct, they shall order said statement to be recorded at length in the
19 records of their proceedings required by law to be kept by the county clerk,
20 and shall cancel and cause to be filed the receipts of the township treasurers
21 for the amounts of said county school fund received by them and presented by
22 the county superintendents with their statements as hereinbefore provided.

§ 4. Said county superintendents shall not loan any of said county school
2 funds after this act shall take effect, but shall use due diligence to collect all
3 of said county school fund as soon as it shall become due, and shall hold all
4 of said funds that may come into their hands for distribution as herein pro-
5 vided, and shall continue to collect and make distribution of said fund as
6 herein provided until the whole amount of said fund shall be so distributed, and
7 any and all money coming into their hands from any other source which is or
8 may be by law required to be added to said county school fund shall be dis-
9 tributed in the same manner as herein provided for the distribution of the
10 county school fund now in his hands.

1. Introduced by Mr. Orendorf, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on Fees and Salaries.
3. Reported back February 3, 1887, with amendment, passage recommended and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An Act to fix the pay of members of the General Assembly after its first session under the present constitution," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section one of an act entitled "An Act to
3 fix the pay of members of the General Assembly after its first session under
4 the present constitution," approved March 29, 1872, in force July 1, 1872,
5 be amended so as to read as follows, to-wit:

6 "SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
7 *in the General Assembly,* That until otherwise provided by law, mem-
8 bers of the General Assembly shall from and after the Wednesday next
9 after the first Monday in January, A. D., 1891, receive for their services
10 during each biennial session the sum of one thousand (\$1,000) dollars, one
11 hundred (\$100) dollars of which may be payable every twenty (20) days
12 and the remainder, if any, at the close of the session; and ten (10) cents
13 for each mile necessarily traveled in going to and returning from the seat
14 of government, to be computed by the Auditor of Public Accounts; and
15 also the sum of fifty (\$50) dollars per session to each member which shall
16 be in full for postage, stationery, newspapers and all other incidental
17 expenses and perquisites, and no more: *Provided,* however, that there shall
18 be deducted from the pay of each member who shall be absent from the

19 attendance of either House, if not necessarily absent in the performance of
 20 duties assigned him by the House of which he is a member, ten (\$10)
 21 dollars per day for each day's absence, and it shall be the duty of the
 22 Secretary of the Senate and Clerk of the House to carefully note the presence
 23 and absence of members of the respective Houses, and to certify the same
 24 to the Auditor of Public Accounts whose duty it shall be to deduct from the
 25 salary of absentees ten (\$10) dollars for each day's absence. In case of extra
 26 sessions members of the General Assembly shall receive five (\$5) dollars per
 27 day for each day's actual attendance during the first thirty (30) days of the
 28 session and three (\$3) dollars per day thereafter and ten cents mileage for
 29 each mile necessarily traveled to and from the seat of government and fifty
 30 (\$50) dollars for postage, stationary, newspapers and all other incidentals and
 31 perquisites and no more."

AMENDMENT TO SENATE BILL NUMBER 152, RECOMMENDED BY
 THE COMMITTEE ON FEES AND SALARIES.

Amend by adding thereto the following proviso: "Provided, that whenever
 2 any member is absent by leave of the House of which he is a member,
 3 properly granted, such time shall not be so deducted from his pay."

1. Introduced by Mr. Orendorf, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on Fees and Salaries.
3. Reported back February 3, 1887, with amendments, passage recommended and ordered to second reading.
4. Second reading February 9, 1887, amended and ordered to third reading.

A BILL

For An Act to amend section one of an act entitled "An Act to fix the pay of members of the General Assembly after its first session under the present constitution," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one of an act entitled "An act to fix the pay of members of the General Assembly after its first session under the present constitution," approved March 29, 1872, in force July 1, 1872, be amended so as to read as follows, to-wit:

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That until otherwise provided by law, members of the General Assembly shall, from and after the Wednesday next after the first Monday in January, A. D. 1889, receive for their services during each biennial session the sum of one thousand (1,000) dollars, one hundred (100) dollars of which may be payable every twenty (20) days and the remainder, if any, at the close of the session; and ten (10) cents for each mile necessarily traveled in going to and returning from the seat of government, to be computed by the Auditor of Public Accounts, provided they do not travel on a pass; and also the sum of fifty (50) dollars per session to each member, which shall be in full for postage, stationery, newspapers and all other incidental expenses and perquisites, and no more: *Provided, however, that there shall*

18 be deducted from the pay of each member who shall be absent from the
19 attendance of either house, ten (10) dollars per day for each day's absence, and it
20 shall be the duty of the Secretary of the Senate and Clerk of the House to
21 carefully note the presence and absence of members of the respective houses,
22 and to certify the same to the Auditor of Public Accounts whose duty it shall
23 be to deduct from the salary of absentees ten (10) dollars for each day's absence.
24 In case of extra sessions members of the General Assembly shall receive five
25 (5) dollars per day for each day's actual attendance, and ten cents mileage for
26 each mile necessarily traveled to and from the seat of government, and fifty
27 (50) dollars for postage, stationery, newspapers and all other incidentals and
28 perquisites and no more: *Provided*, that whenever any member is absent by
29 leave of the house of which he is a member, properly granted, such time shall
30 not be so deducted from his pay.

1. Received from House June 9, 1887, and ordered to first reading.
 2. First reading June 9, 1887, and ordered to second reading.
-

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following sums be, and are hereby appropriated to the Illinois Institution for the Education of the Blind, for
3 the purposes hereinafter named:

5 For paving one half the width of the street and connections, thirty-four
6 hundred dollars (\$3,400.)

7 For laundry and furnishing the same, five thousand dollars (\$5,000.)

§ 2. The moneys herein appropriated, shall be due and payable to the
2 trustees, or their order, only on the terms and in the manner now provided by law.
3

1. Introduced by Mr. Funk, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back February 17, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act providing for the permanent location of the Illinois State Fair, the securing of land, construction of buildings, and making of other necessary improvements for the holding of the State Fair.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Illinois State Fair, from and after the passage of this act, shall be permanently located at or near such place as the Illinois State Board of Agriculture may designate.

§ 2. For the purchase of the necessary land (which shall include not less than one hundred and sixty acres nor more than three hundred and twenty acres), and for the construction of necessary exhibition halls, buildings, stalls, pens, and improving the grounds for the holding of the Illinois State Fair, and for such other uses and purposes as the Illinois State Board of Agriculture may have occasion and see proper to make of the same, or as may be deemed necessary by said Board in the work of promoting agriculture, horticulture, manufactures and domestic arts, there is hereby appropriated the sum of _____ dollars, or so much thereof as shall be needed for such purposes; said amount to be paid out of any moneys in the State Treasury not otherwise appropriated: *Provided*, that the site designated shall be the one most accessible to the greatest number of agriculturalists in the State, as well as the most economical to the State and best adapted for the purpose, having

10 vouchers approved by the Governor as now provided by law. No member of the
 11 State Board of Agriculture shall be in any way interested in any contract for the
 12 purchase of land or in contracts made by said Board for the erection of said
 13 buildings, making necessary improvements or furnishing any material for
 14 structures or the arrangements on said fair grounds; and if any officer or
 15 member of said Board shall be so interested, he shall be deemed guilty of a
 16 misdemeanor and on conviction be fined for each offense any sum not exceed-
 17 ing five thousand dollars.

§ 6. The State Board of Agriculture shall have the power and it shall be
 2 its duty and privilege, to make such reasonable rules and regulations for
 3 management of the fair, and the improvement and care of the grounds and
 4 buildings, as shall not be inconsistent with the spirit and provisions of this
 5 act and the act in relation to the Department of Agriculture, agricultural
 6 societies and agricultural fairs.

AMENDMENT PROPOSED TO SENATE BILL No. 154, BY COMMITTEE
 ON AGRICULTURE AND DRAINAGE:

Amend by striking out the words, "two streets," in line 22, of section 3, of
 2 written bill, and inserting in lieu thereof, the words, "one street."

1. Introduced by Mr. Torrance, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back March 24, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to enforce uniformity of text books in the public schools.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the State Superintendent of Public Instruction to prescribe the text books to be used in the public schools of this State so as to enforce uniformity therein. He shall have the power to change the text books, or any of them prescribed by him, whenever, in his judgment, the best interest of the schools so required, but such change as to any text book shall not be made oftener than once in four years.

§ 2. It shall be his duty, before prescribing the use of any text book, to require the publisher or publishers thereof to enter into a bond, in a penal sum of not less than fifty thousand dollars, to sell the book or books prescribed by him at a sum to be therein named and keep the same for sale at such sum in all the cities and villages in this State, in sufficient quantities to supply the demand therefor, convenient to the patrons of the public schools, until a change shall be made to other text books in the manner herein provided

§ 3. The bond herein provided for shall be signed by two or more freeholders, as sureties, residents of this State, who shall not be members of the firm or company publishing such book or books, and shall be

4 approved by the Superintendent of Public Instruction and filed in his office;
5 such sureties shall schedule real estate of the value of the penalty of the
6 bond, which schedule shall be sworn to by them and attached to the bond,
7 and such bond shall be a lien on the real estate so scheduled from the
8 date of filing the same. Said bond shall be payable to the People of the
9 State of Illinois, and, for a failure to comply with its conditions, suit may
10 be maintained thereon by said Superintendent in any court of record in
11 this State, and for such purpose summons may be sent to any county in
12 this State for service.

§ 4. All school officers of this State are required to comply with this
2 act and select text books for the schools over which they have control
3 from the list prescribed by the State Superintendent, and for a failure so
4 to do shall be deemed guilty of a misdemeanor, and upon conviction
5 thereof, shall be fined in a sum not less than twenty-five dollars nor more
6 than one hundred dollars, and removed from office by order of the court
7 in which conviction is had.

§ 5. Before prescribing the use of any text book as herein provided,
2 the said Superintendent of Public Instruction shall give all publishers of
3 text books for schools an opportunity to make a bid as to the price at
4 which such books will be furnished, in accordance with the requirements
5 of this act, and shall make the best possible contract with the publisher
6 or publishers of the book prescribed to be used, if the State, by convict
7 labor or otherwise, shall publish any text books for schools it shall be his
8 duty to prescribe the kind and character of such books.

§ 6. All acts and parts of acts inconsistent with this act, are hereby
2 repealed.

1. Introduced by Mr. Curtiss, January 28, 1887, and ordered to first reading.
2. First reading January 28, 1887, and referred to Committee on Elections.
3. Reported back February 24, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to make it lawful for any person, without regard to sex, who possesses the other qualifications of an elector now required by law, to vote at any district school election held in pursuance of the school laws of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall hereafter be lawful for any person without regard to sex, who possesses the other qualifications of an elector now required by law, to vote at any district school election, held in pursuance of the school laws of this State.

§ 2. That all acts or parts of acts inconsistent with this act are hereby repealed.



1. Received from House March 23, 1887, and ordered to first reading.
2. First reading March 28, 1887, and ordered to second reading.

A BILL

For An Act to amend section 94 of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time of holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

- 2 *in the General Assembly,* That section 94 of an act entitled "An act to extend
- 3 the jurisdiction of county courts and to provide for the practice thereof, to fix
- 4 the time of holding the same, and to repeal an act therein named," approved
- 5 March 26, 1874, in force July 1, 1874, be so amended as to read as follows:
- 6 "Section 94. Scott in January and July."



1. Introduced by Mr. Bell, January 31, 1887, and ordered to first reading.
2. First reading January 31, 1887, and referred to Committee on Judiciary.
3. Reported back April 14, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections 6, 7 and 8 of an act, entitled "An act to revise the law in relation to criminal jurisprudence."

SECTION 1. *Be it enacted by the People of the State of Illinois, represente*

2 *in the General Assembly*, That sections six, seven and eight, of division nine,
3 of an act, entitled "An act to revise the law in relation to criminal jurispru-
4 dence," approved March 21, 1874, in force July 1, 1874, be amended so as to
5 read as follows:

6 "Section 6. Upon the jury returning their verdict, the justice shall record
7 the same in his docket or record book, and proceed to render judgment
8 thereon accordingly with costs. If the jury return a verdict of not guilty,
9 the justice shall discharge the defendant without costs. And hereafter, any
10 person convicted before any justice of the peace, of any misdemeanor,
11 punishable under the laws of this State, in whole, or in part by fine, may
12 be required by the judgment of the justice of the peace before whom such
13 conviction is had, to work out such fine and all costs in the workhouse of
14 the city town or county, or in the streets and alleys of any city or town,
15 or on the public roads in the county, under the proper person in charge of
16 such work-house, streets, alleys or public roads, at the rate of one dollar and
17 fifty cents per day, for each day's work.

18 "Section 7. Or the justice of the peace may, upon the rendition of such
19 judgment, (except as otherwise provided), issue execution against the goods

20 and chattels of the defendant, for the fine and costs, which execution may
21 be levied upon any personal property of the defendant not exempt from
22 execution, and proceeding may be had thereon, as on other executions.

23 "Section 8. [Capias issued] If the constable shall return upon such execu-
24 tion, that the defendant has no goods and chattels thereof to make the
25 money, the justice shall issue a capias against the body of the defendant,
26 and the constable shall arrest such person and commit him to the jail of the
27 county, there to remain forty-eight hours; and if the fine exceed three
28 dollars, then to remain in such jail twenty-four hours for every one dollar
29 and fifty cents over and above said first three dollars, and so on in propor-
30 tion to the amount of said fine."

1. Introduced by Mr. Bell, January 31, 1887, and ordered to first reading.
2. First reading January 31, 1887, and referred to Committee on Judiciary.
3. Reported back April 14, 1887, passage recommended, and ordered to second reading.
4. Second reading April 20, 1887, amended and ordered to third reading.

A BILL

For An Act to amend sections 6, 7 and 8 of an act, entitled "An act to revise the law in relation to criminal jurisprudence."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That sections six, seven and eight, of division nine,*
3 *of an act, entitled "An act to revise the law in relation to criminal jurispru-*
4 *dence," approved March 27, 1874, in force July 1, 1874, be amended so as to*
5 *read as follows:*

6 "Section 6. Upon the jury returning their verdict, the justice shall record
7 the same in his docket or record book, and proceed to render judgment
8 thereon accordingly with costs. If the jury return a verdict of not guilty,
9 the justice shall discharge the defendant without costs. And hereafter, any
10 person convicted before any justice of the peace, of any misdemeanor,
11 punishable under the laws of this State, in whole, or in part by fine, may
12 be required by the judgment of the justice of the peace before whom such
13 conviction is had, to work out such fine and all costs in the workhouse of
14 the city, town or county, at the rate of one dollar and fifty cents per day, for
15 each day's work.

18 "Section 7. Or the justice of the peace may, upon the rendition of such
19 judgment, (except as otherwise provided), issue execution against the goods
20 and chattels of the defendant, for the fine and costs, which execution may

21 be levied upon any personal property of the defendant not exempt from
22 execution, and proceeding may be had thereon, as on other executions.

23 "Section 8. If the constable shall return upon such execution, that
24 the defendant has no goods and chattels thereof to make the
52 money, the justice shall issue a *capias* against the body of the defendant,
26 and the constable shall arrest such person and commit him to the jail of the
27 county, there to remain forty-eight hours; and if the fine exceed three
28 dollars, then to remain in such jail twenty-four hours for every one dollar
29 and fifty cents over and above said first three dollars, and so on in propor-
30 tion to the amount of said fine."

1. Introduced by Mr. Johns, February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 17, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back March 31, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Asylum for Feeble Minded Children at Lincoln.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following sums be and are hereby
3 appropriated to the Illinois Asylum for Feeble Minded Children at Lincoln,
4 for the purposes hereinafter named.

5 For ordinary expenses the sum of sixty-four thousand dollars (\$64,000) per
6 annum, payable quarterly in advance from the first day of July, 1887, to the
7 expiration of the first fiscal quarter after the adjournment of the next General
8 Assembly.

9 For repairs and improvements, three thousand dollars (\$3000) per annum.

10 For improvement of grounds, five hundred dollars (\$500) per annum.

11 For the purchase of two new boilers, two thousand dollars (\$2000).

12 For the erection of a building for custodial cases and for furnishing and
13 heating the same, thirty-six thousand dollars (\$36,000.)

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees of the aforesaid institution or their order, on the terms and in the
3 manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 165.

- Amend line 10 by striking out the word "four" and insert the word "two" in lieu thereof.
- Also amend line 11 by striking out the figures "64,000," and insert the figures "62,000" in lieu thereof.
- Also amend line 16 by striking out the word "three" and insert the word "two" in lieu thereof.
- Also amend line 17 by striking out the figures "3000" and insert the figures "2000" in lieu thereof.
- Also amend by striking out lines 24, 25 and 26.

1. Introduced by Mr. Johns, February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 17, 1887, passage recommended and referred to Committee on Appropriations.
4. Reported back March 31, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making an appropriation to the Illinois Asylum for Feeble Minded Children at Lincoln.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of five thousand dollars (\$5,000), be and is hereby appropriated to the Illinois Asylum for Feeble Minded Children at Lincoln, for sewer construction.

§ 2. The money herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 166.

Amend by inserting after the word "dollars" in line (7), "or so much thereof as may be necessary."



1. Introduced by Mr. Cochran, February 1, 1887, and ordered to first reading.
2. First reading, February 1, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 8 with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled, "An act to create and establish a State Board of Health in the State of Illinois," approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That an act entitled, "An act to create and
3 establish a State Board of Health in the State of Illinois," approved May
4 25, 1877, in force July 1, 1877, be amended so as to read as follows:

§ 1. That the Governor, with the advice and consent of the Senate,
2 shall appoint seven persons, who shall constitute the Board of Health. The
3 persons so appointed shall hold their offices for seven years: *Provided*, that
4 the terms of office of the seven first appointed shall be so arranged so that
5 the term of one shall expire on the thirty-first day of December of each
6 year, and the vacancies so created, as well as all vacancies occurring other-
7 wise, shall be filled by the Governor, with the advice of the Senate: *And*,
8 *provided, also*, that appointments made when the Senate is not in session
9 may be confirmed at its next ensuing session.

§ 2. The State Board of Health shall have the general supervision of the
2 interests of the health and life of the citizens of the State. They shall
3 have charge of all matters pertaining to quarantine; and shall have authority
4 to make such rules and regulations, and such sanitary investigations, as

5 they may from time to time deem necessary for the preservation or improve
 6 ment of public health; and it shall be the duty of all local boards of
 7 health, health authorities and officials, officers of State institutions, school
 8 officials, sheriffs, police officers, constables and all other officers and
 9 employes of the State, or of any county, city or town thereof, to enforce
 10 such quarantine and sanitary rules and regulations, so far as may be
 11 required by the board in the exercise of its official duties, under penalty in
 12 the event of failure or refusal, of not less than fifty dollars, upon the first
 13 conviction and upon conviction for a second offense of not less than one
 14 hundred dollars.

§ 3. The Board of Health shall have supervision of the registration of
 2 marriages, births and deaths as hereinafter provided; they shall make up
 3 such forms and recommend such legislation as shall be deemed necessary
 4 for the thorough registration of vital statistics throughout the State. The
 5 secretary of the Board shall be the superintendent of such registration.

§ 4. It shall be the duty of the physician or midwife attending any case
 2 of birth in this State, and of the parents to report to the county clerk
 3 within sixty (60) days after its occurrence, the fact of such birth upon the
 4 blank form furnished as hereinafter provided, and it shall be the duty of
 5 every attending physician under whose charge a death may occur in this
 6 State, the next of kin, the undertaker in charge of the body of the
 7 deceased and the sexton of the cemetery where the remains are interred, to
 8 report to the county clerk within thirty (30) days after its occurrence the
 9 fact of such death upon the blank forms furnished as hereinafter provided.
 10 And all persons authorized to solemnize marriage shall within thirty (30)
 11 days of such marriage solemnized by them report the same to the county
 12 clerk. Failure to comply with any of the provisions of this section shall
 13 subject the offender to a fine of ten (\$10) dollars for each and every
 14 offense, to be recovered at the suit of the people of the State of Illinois
 15 for the use of the common school fund, in any court of competent juris-
 16 diction: *Provided*, that when the required report is made by either one of

17 the persons specified in sections 4 and 5 of this act, the certificate of the
18 county clerk to such fact shall be accepted as proof of the full compliance
19 with the provisions of said sections 4 and 5.

§ 5. Where any death shall take place, no physician being in attendance,
2 the fact, with the supposed cause of death, shall be reported to the county
3 clerk, within thirty (30) days from the date of its occurrence, by the parent,
4 or if none, by the nearest of kin, not a minor, or if none, by the resident
5 householder where the death shall occur, or if none, by the undertaker, under
6 penalty as provided in a preceding section of this act; and the coroners of the
7 several counties shall be required to report to the county clerk all cases of
8 death which may come under their supervision, with the cause and mode of
9 death, etc., as per forms furnished, under penalty as provided in section four
10 (4) of this act.

§ 6. It shall be the duty of the local boards of health, health authorities
2 or officials, and of physicians in localities where there are no health authorities
3 or officials, to report to the State Board of Health, promptly upon discovery
4 thereof, the existence of any one of the following diseases which may come
5 under their care or observation, to-wit: Asiatic cholera, yellow fever, small-
6 pox, chicken-pox, scarlet fever, diphtheria, typhus fever, typhoid fever and of
7 such other contagious or infectious diseases as the said State Board may,
8 from time to time specify, under a penalty of not less than fifty (\$50) dollars
9 for each failure to so report, and all local boards of health in this State shall
10 make reports to the State Board of Health when called upon under a like
11 penalty for failure.

§ 7. It shall be the duty of all physicians and midwives in this State to
2 register their names and post office addresses with the county clerks of the
3 counties in which they reside, and the county clerks of the several counties
4 in the State shall be required to keep separate books for the registration of
5 the names and post office addresses of physicians and midwives, for births, for
6 marriages and for deaths; said books shall always be open to inspection without
7 fee; and said county clerks shall be required to render a full and complete

8 report of all births, marriages and deaths to the Secretary of the Board of
9 Health, annually, and at such other times as the board may direct. A failure
10 to make such reports shall subject the offender to a fine of not less than fifty
11 (\$50) dollars for each offense:

§ 8. It shall be the duty of the Board of Health to prepare such forms for
2 the record of births, marriages and deaths as they may deem proper; the said
3 forms to be furnished by the Secretary of said Board to the county clerks of
4 the several counties, whose duty it shall be to furnish the necessary blanks
5 printed in accordance with said forms to such persons as are herein required
6 to make reports.

§ 9. The first meeting of the Board shall be within fifteen (15) days after
2 their appointment, and thereafter in January and June of each year, and at
3 such other times as the Board shall deem expedient. The meeting in January
4 of each year shall be in Springfield. A majority shall constitute a quorum.
5 They shall choose one of their number to be President and they may adopt
6 rules and by-laws for their government, subject to the provisions of this act.

§ 10. They shall elect a Secretary, who shall perform the duties prescribed
2 by the Board and by this act; he shall receive a salary which shall be fixed
3 by the Board; he shall also receive his traveling and other expenses incurred
4 in the performance of his official duties. The other members of the Board
5 shall receive no compensation for their services, but their traveling and other
6 expenses, while employed on business of the Board, shall be paid. The Pres-
7 ident of the Board shall quarterly certify the amount due the Secretary and
8 members, and on presentation of their certificates, the Auditor of State shall
9 draw his warrant on the Treasurer for the amount.

§ 11. It shall be the duty of the Board of Health to make an annual report,
2 through their Secretary or otherwise, in writing, to the Governor of this State,
3 on or before the first day of July of each year, for the preceding year, and
4 such report shall include so much of the proceedings of the Board and such
5 information concerning vital statistics, such knowledge respecting diseases, and
6 such instruction on the subject of hygiene as may be thought useful by the Board

7 for dissemination among the people, with such suggestions as to legislative
 8 action as they may deem necessary, and of said annual report there shall be
 9 printed and bound in the third class of binding, six thousand (6,000) copies,
 10 and the said Board shall be furnished all necessary printing and stationery for
 11 the performance of its official duties, in the same manner as such printing and
 12 stationery are furnished to other officers and departments of the State
 13 government

§ 2. All acts and parts of acts in conflict with this act are hereby
 2 repealed.

AMENDMENTS PROPOSED BY THE COMMITTEE ON LICENSE AND MISCELLANY TO SENATE BILL NO. 167.

Amend section 4 by inserting after the word "provided" and before the
 2 word "and" in line 57 the following:

3 "And such physician or midwife shall also at the time of such birth fill
 4 in such blank form the date and facts of such birth, and one of the parents
 5 of the child so born shall also fill in such blank form the name of such
 6 child, and when such blank is so filled out the same shall be deposited
 7 with the county clerk of the county wherein such birth occurred by either
 8 one of the parents or the physician or midwife."

9 Amend also section 4, line 57, by inserting after the word "shall" and
 10 before the word "be" the word "also."

11 Amend section 5 by inserting after the word "any" and before the word
 12 "death" in line 81, the words "birth or."

13 Also by inserting between the words "physician" and the word "being" in
 14 said section 5, line 82, the words "or midwife."

15 Also by inserting between the words "coroners" and "of" in said section
 16 5, line 91, the words "or any one acting as coroner."

17 Also amend by inserting the following additional section to be numbered
18 section seven (7):

19 Section 7. That no burial, interment or removal of any dead body shall
20 be lawful in any town or city in this State having a population of two
21 thousand or more or within two miles thereof, until a permit for such burial,
22 interment or removal shall have been first obtained from the clerk or health
23 officer of any such town or city. Such permit shall be issued by such
24 clerk or health officer as aforesaid only upon his receipt of a certificate
25 of death signed by the attending physician in the case of any, and if none
26 then by one of the parents of the deceased, or if none, then by the nearest
27 of kin not a minor, or if none, by the resident householder where the
28 death occurred, or if none, by any reputable citizen cognizant of the facts
29 and circumstance of the death, or if the death be the subject of an inquest,
30 then the coroner or other officer holding such inquest. That any under-
31 taker or sexton, and each and every other person engaged or concerned in a
32 burial in violation of the provisions of this act, and the officers and employes
33 of any transportation company, or any other person or persons engaged or
34 concerned in the removal of a dead body from any such city or within two
35 miles thereof in violation of this act shall be fined not less than ten nor
36 more than fifty dollars. That the clerk or health officer of any such town
37 or city shall enter in a suitable book, to be kept for that purpose, a record
38 of all burial permits issued, specifying the date of issue, and to whom
39 issued, together with all the items of information contained in the certifi-
40 cates upon which the issue of such permits is based, and he shall forward
41 by mail or deliver to the county clerk of the county wherein such permit
42 was granted, at the end of each month all the certificates so received by
43 him during said month.

44 Also amend the remaining sections of said bill by renumbering thereof
45 consecutively in accordance with the change required by the insertion of
46 the foregoing section 7, to wit: Section 7, line 147, to be section 8, and
47 section 7, line 137, to be section 10, and section 9, line 147, to be section

48 "10" and section 10, line 159, to be section "11," and section 11, line 175,
49 to be section "12."

50 Amend also section 12 (new enumeration) by inserting between the words
51 "report" and "there" in line 190, the words "not to exceed seven hundred
52 pages."

1. Introduced by Mr. Cochran, February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on Lincense and Miscellany.
3. Reported back March 8, 1887, with amendments, passage recommended and ordered to second reading.
4. Second reading April 29, 1887, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to create and establish a State Board of Health in the State of Illinois," approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act to create and
3 establish a State Board of Health in the State of Illinois," approved May
4 25, 1887, in force July 1, 1887, be amended so as to read as follows:

§ 1. That the Governor, with the advice and consent of the Senate,
2 shall appoint seven persons, who shall constitute the Board of Health.
3 The persons so appointed shall hold their offices for seven years: *Provided,*
4 that the terms of office of the seven first appointed shall be so arranged
5 so that the term of one shall expire on the thirty-first day of December
6 of each year, and the vacancies so created, as well as all vacancies
7 occurring otherwise, shall be filled by the Governor, with the advice of
8 the Senate: *And provided, also,* that appointments made when the Senate
9 is not in session may be confirmed at its next ensuing session.

§ 2. The State Board of Health shall have the general supervision of
2 interests of the health and life of the citizens of the State. They shall
3 have charge of all matters pertaining to quarantine; and shall have author-
4 ity to make such rules and regulations, and such sanitary investigations

5 as they may from time to time deem necessary for the preservation or
6 improvement of public health; and it shall be the duty of all local boards
7 of health, health authorities and officials, officers of State institutions,
8 school officials, sheriffs, police officers, constables and all other officers and
9 employes of the State, or of any county, city or town thereof, to enforce
10 such quarantine and sanitary rules and regulations, so far as may be
11 required by the board in the exercise of its official duties, under penalty
12 in the event of failure or refusal, of not less than fifty dollars, upon the
13 first conviction, and upon conviction for a second offense, of not less than
14 one hundred dollars.

§ 3. The Board of Health shall have supervision of the registration of
2 marriages, births and deaths, as hereinafter provided; they shall make up
3 such forms and recommend such legislation as shall be deemed neces-
4 sary for the thorough registration of vital statistics throughout the State.
5 The secretary of the board shall be the superintendent of such registration.

§ 4. It shall be the duty of the physician or midwife attending any
2 case of birth in this State, and of the parents to report to the county
3 clerk within sixty (60) days after its occurrence, the fact of such birth
4 upon the blank form furnished, as hereinafter provided; and such physi-
5 cian or midwife shall also at the the time of such birth fill in such blank
6 form the date and facts of such birth, and one of the parents of the
7 child so born shall also fill in such blank form the name of such child,
8 and when such blank is so filled out the same shall be deposited with the
9 county clerk of the county wherein such birth occurred by either one of
10 the parents or the physician or midwife; and it shall also be the duty of
11 every attending physician under whose charge a death may occur in this
12 State, the next of kin, the undertaker in charge of the body of the
13 deceased, and the sexton of the cemetery where the remains are interred,
14 to report to the county clerk within thirty (30) days after its occurrence
15 the fact of such death upon the blank forms furnished, as hereinafter
16 provided. And all persons authorized to solemnize marriage shall within

17 thirty (30) days of such marriage solemnized by them report the same to
18 the county clerk. Failure to comply with any of the provisions of this
19 section shall subject the offender to a fine of ten dollars (\$10) for each
20 and every offense, to be recovered at the suit of The People of the
21 State of Illinois, for the use of the common school fund, in any court of
22 competent jurisdiction: *Provided*, that when the required report is made
23 by either one of the persons specified in sections 4 and 5 of this act,
24 the certificate of the county clerk to such fact shall be accepted as proof
25 of full compliance with the provisions of said sections 4 and 5.

§ 5. Where any birth or death shall take place, no physician or midwife
2 being in attendance, the fact, with the supposed cause of death, shall be
3 reported to the county clerk within thirty (30) days from the date of its
4 occurrence, by the parent, or if none, by the nearest of kin, not a minor, or
5 if none, by the resident householder where the death shall occur, or if none,
6 by the undertaker, under penalty as provided in a preceding section of this
7 act; and the coroners or any one acting as coroner of the several counties
8 shall be required to report to the county clerk all cases of death which may
9 come under their supervision, with the cause and mode of death, etc., as per
10 forms furnished, under penalty as provided in section four (4) of this act.

§ 6. It shall be the duty of the local boards of health, health authorities
2 or officials, and of physicians in localities where there are no health authori-
3 ties or officials, to report to the State Board of Health, promptly upon dis-
4 covery thereof, the existence of any one of the following diseases which may
5 come under their care or observation, to-wit: Asiatic cholera, yellow fever,
6 small-pox, chicken-pox, scarlet fever, diptheria, typhus fever, typhoid fever,
7 and of such other contagious or infectious diseases as the said State Board
8 may, from time to time specify, under penalty of not less than fifty (\$50)
9 dollars for each failure to so report, and all local boards of health in this
10 State shall make reports to the State Board of Health when called upon
11 under a like penalty for failure.

§ 7. That no burial, interment or removal of any dead body shall be
2 lawful in any town or city in this State having a population of two
3 thousand or more, or within two miles thereof, until a permit for such
4 burial, interment or removal shall have been first obtained from the clerk
5 or health officer of any such town or city. Such permit shall be issued
6 by such clerk or health officer, as aforesaid, only upon his receipt of a
7 certificate of death signed by the attending physician in the case, if any,
8 and if none, then by one of the parents of the deceased, or if none, then
9 by the nearest of kin not a minor, or if none, by the resident house-
10 holder where the death occurred, or if none, by any reputable citizen cog-
11 nizant of the facts and circumstance of the death, or if the death be the
12 subject of an inquest, then by the coroner or other officer holding such
13 inquest. That any undertaker or sexton, and each and every other person
14 engaged or concerned in a burial in violation of the provisions of this act,
15 and the officers and employees of any transportation company, or any other
16 person or persons engaged or concerned in the removal of a dead body
17 from any such city, or within two miles thereof, in violation of this act
18 shall be fined not less than ten nor more than fifty dollars. That the
19 clerk or health officer of any such town or city shall enter in a suitable
20 book, to be kept for that purpose, a record of all burial permits issued,
21 specifying the date of issue, and to whom issued, together with all the
22 items of information contained in the certificates upon which the issue of
23 such permits are based, and he shall forward by mail or deliver to the
24 county clerk of the county wherein such permit was granted, at the end
24 of each month all the certificates so received by him during said month.

§ 8. It shall be the duty of all physicians and midwives in this State
2 to register their names and postoffice addresses with the county clerks of the
3 counties in which they reside, and the county clerks of the several counties
4 in the State shall be required to keep separate books for the registration of
5 the names and postoffice addresses of physicians and midwives, for births, for
6 marriages and for deaths; said books shall always be open to inspection with-

7 out fee; and said county clerks shall be required to render a full and complete
8 report of all births, marriages and deaths to the secretary of the Board of
9 Health annually, and at such other times as the board may direct. A failure
10 to make such reports shall subject the offender to a fine of not less than fifty
11 (\$50) dollars for each offense.

§ 9. It shall be the duty of the Board of Health to prepare such forms
2 for the record of births, marriages and deaths as they may deem proper; the
3 said forms to be furnished by the secretary of said board to the county clerks
4 of the several counties, whose duty it shall be to furnish the necessary blanks
5 printed in accordance with said forms to such persons as are herein required
6 to make reports.

§ 10. The first meeting of the board shall be within fifteen (15) days after
2 their appointment, and thereafter in January and June of each year, and at
3 such other times as the board shall deem expedient. The meeting in January
4 of each year shall be in Springfield. A majority shall constitute a quorum.
5 They shall choose one of their number to be president and they may adopt
6 rules and by-laws for their government, subject to the provisions of this act.

§ 11. They shall elect a secretary, who shall perform the duties prescribed
2 by the board and by this act; he shall receive a salary which shall be fixed
3 by the board; he shall also receive his traveling and other expenses incurred
4 in the performance of his official duties. The other members of the board
5 shall receive no compensation for their services, but their traveling and other
6 expenses while employed on business of the board shall be paid. The Presi-
7 dent of the Board shall quarterly certify the amount due the secretary and
8 members, and on presentation of their certificates, the Auditor of State shall
9 draw his warrant on the Treasurer for the amount.

§ 12. It shall be the duty of the Board of Health to make an annual
2 report, through their secretary or otherwise, in writing, to the Governor of
3 this State, on or before the first day of July of each year, for the preced-
4 ing year, and such report shall include so much of the proceedings of the
5 board and such information concerning vital statistics, such knowledge

6 respecting diseases, and such instruction on the subject of hygiene as may
7 be thought useful to the board for dissemination among the people, with
8 such suggestions as to legislative action as they may deem necessary, and
9 of said annual report, not exceeding seven hundred pages, there shall
10 be printed and bound in the third class of binding six thousand (6,000)
11 copies, and the said board shall be furnished all other necessary printing
12 and stationery for the performance of its official duties, in the same
13 manner as such printing and stationery are furnished to other officers and
14 departments of the government.

§ 13. All acts and parts of acts in conflict with this act are hereby
3 repealed.

- 1 Introduced by Mr. Fournier, February 1, 1887, and ordered to first reading.
- 2 First reading, February 1, 1887, and referred to Committee on Agriculture and Drainage.
- 3 Reported back, February 17, passage recommended, and ordered to second reading.

A BILL

For An Act to prevent Gambling in Grain, Provisions or other Farm Produce

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful for any corporation,
3 association, copartnership, or person, by themselves or their agents, to buy
4 or sell any grain, provisions or other farm produce, or to keep or cause
5 to be kept within this State, any office, store or other place wherein is
6 conducted or permitted the buying or selling of grains, provisions or other
7 farm produce, either on margins or otherwise, where no intention of receiving
8 and paying for the property so bought, or of delivering the property so
9 sold, is not made then and there apparent as a part of said transaction,
10 or wherein is conducted the pretended buying or selling of grain on
11 margins, or selling or buying on margins or otherwise. When the party
12 selling the same or offering to sell the same does not have then and there
13 a duly executed warehouse receipt calling for and describing the grain so
14 sold or offered to be sold. And in case of the pretended sale of provisions
15 or other farm produce, does not have the ownership or possession of the
16 property sought to be sold or bought, or where the party buying any of
17 such property or offering to buy the same, does not intend actually to
18 receive the same if purchased or deliver the same if sold. And all

19 such sales and the keeping of all such places for making said pretended
20 sales is hereby prohibited and all pretended sales of grain not accompanied
21 by a duly executed warehouse or storage receipt as aforesaid and all
22 pretended sales for provisions or farm produce, without the ownership or
23 possession by the party offering to sell, are hereby declared unlawful and
24 void.

§ 2. It shall not be necessary in order to commit the offense defined
2 in this act, that both the buyer and seller should agree to deceive, if the
3 acts hereby prohibited, but the said crime shall be complete against any
4 corporation, association, copartnership or person or persons or their agents
5 thus pretending or offering to sell, and thus pretending or offering to buy,
6 whether the offer to sell or buy is accepted or not, and any corporation,
7 association, copartnership or person, or his or their agent who shall com-
8 muncate, receive, execute or display in any manner any such offer to so
9 buy or sell, or any statement or quotation of the prices of any such
10 property with a view of any pretended transaction as described in section
11 1, shall for any such offense be deemed and held to be an accessory
12 thereto, and upon conviction thereof shall be fined the same as the
13 principal.

§ 3. It shall be the duty of every commission merchant, copartnership
2 association, corporation, broker or agent doing business as such, to furnish
3 at the time of sale, to all customers to such commission merchants,
4 copartnership, corporation, association, broker or agent who has executed
5 any order for the actual purchase or sale of the commodities heretofore
6 mentioned, either for the immediate or future delivery, a written statement
7 containing the names of the parties from whom such property was bought,
8 and to whom it shall have been sold, the time when and the place where,
9 and the price at which the same was either bought or sold. And the said
10 commission merchant, copartnership, corporation, association, broker, agent
11 or other person, shall keep a book in which such transactions shall be
12 fully described as above set forth, which said book shall be open to the

13 inspection of the ledgers of the Circuit and Criminal Courts, State's Attorney
14 or testimony of any grand jury, whenever he or they shall desire to examine
15 the same, and any failure of the said commission merchant, copartnership,
16 corporation, association, broker or other person who shall fail to furnish
17 such statement to his customers, to keep such record, shall be *prima*
18 *facie* evidence that said commodities were not sold or bought in a legitimate
19 transaction upon the open market, but that the same were so bought or
20 sold contrary to the provisions of this statute.

§ 4. Whoever knowingly permits any of the acts by this act made illegal
21 in this State, to be done in any house, or in any out-house, booth or bar, or in any
22 building or premises, or in any place where he or she has entered or possession shall be
23 fined not less than \$500 nor more than \$1,000 and any penalties so imposed
24 shall be collected upon the premises on or in which such unlawful acts are
25 carried on or permitted. It is the intention of this act to prevent, punish
26 and prohibit in this State all gambling transactions in grain, provisions or
27 other farm produce, no matter where conducted in this State. And it
28 shall be the duty, under this act, of all the judges of the several circuit
29 and criminal courts in this State, at every regular term thereof, to charge
30 and direct every impartial grand jury to make due investigation, and grant
31 necessary adjournments of the provisions of this act, and it shall be the duty of
32 the prosecuting attorneys of the several counties of this State, to prosecute
33 all such indictments found by their several grand juries and for each and
34 every conviction thereof, they shall receive as their fees the sum of \$100
35 and fifty per centum of the fine collected. The balance of said fine to be
36 paid to the school fund of the county where said conviction is had.

§ 5. It is further hereby declared unlawful for any association, corpo-
37 ration, partnership, commission merchant, broker or owner of any elevator
38 or warehouse within the State of Illinois, to execute a warehouse or
39 elevator receipt, calling for a greater number of bushels of grain than is
40 actually stored in said elevator, and the person so offending shall be
41 subjected to a fine of not less than \$500 nor more than \$1,000 for the

7 first offense, and for the second offense the person so offending shall be
8 imprisoned in the penitentiary for not less than one year nor more than
9 five years.

§ 6. That any person violating either or any of the provisions of this
2 act, as described in section 4, shall, upon conviction, be fined in the sum
3 of not less than \$200 nor more than \$1,000 for the first offense, and for
4 the second offense, shall be imprisoned in the penitentiary for not less
5 than one nor more than five years.

§ 7. That every corporation, association, partnership or person or agent
2 who shall buy or sell, or transmit any order to buy or sell, by telegram,
3 letter or otherwise shall execute for another, an order for buying or selling
4 in violation of this act, shall be deemed guilty under the same, and liable
5 to prosecution in the county from which the order was sent or in the
6 county where the same is executed, to the penalties provided for in the
7 preceding section.

§ 8. The penalties in this bill not to apply to sales by farmers, of
2 grain or produce sold by them either for immediate or future delivery.

1. Introduced by Forman, February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back February 17, passage recommended, and ordered to second reading.
4. Second reading May 4, 1887, amended, and ordered to third reading.

A BILL

For An Act to prevent Gambling in Grain, Provisions or other Farm produce.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That it shall be unlawful for any corporation,
3 association, copartnership or person by themselves or their agents, to buy
4 or sell any grain, provisions or other farm produce, or to keep or cause to be
5 kept within this State, any office, store or other place wherein is conducted
6 or permitted the buying or selling of grains, provisions or other farm produce,
7 either on margins or otherwise, where no intention of receiving and paying
8 for the property so bought, or of delivering the property so sold, is not made
9 then and there apparent as a part of said transaction, or wherein is conducted
10 or permitted the pretended buying or selling of grain on margins, or selling
11 or buying [on margins or otherwise. When the party selling the same or
12 offering to sell the same does not have then and there a duly executed ware-
13 house receipt calling for and describing the grain so sold or offered to be
14 sold, or a written contract with the producers or owners of such grain having
15 then and there the possession of the same. And in case of the pretended
16 sale of provisions or other farm produce, does not have the ownership or pos-
17 session of the property sought to be sold or bought, or where the party buy-
18 ing any of such property or offering to buy the same, does not intend actually

19 to receive the same if purchased, or deliver the same if sold. And all such
20 sales and the keeping of all such places for making said pretended sales is
21 hereby prohibited, and all pretended sales of grain not accompanied by a duly
22 executed warehouse or storage receipt as aforesaid, and all pretended sales for
23 provisions or farm produce, without the ownership or possession by the party
24 offering to sell, are hereby declared unlawful and void, whether the said pre-
25 tended sales are made through a regular board of trade or bucket-shops.

§ 2. It shall not be necessary in order to commit the offense defined in
2 this act, that both the buyer and seller should agree to do any of the acts
3 hereby prohibited, but the said crime shall be complete against any corpora-
4 tion, association, copartnership or person or persons or their agents thus pre-
5 tending or offering to sell, and thus pretending or offering to buy, whether
6 the offer to sell or buy is accepted or not, and any corporation, association,
7 copartnership or person, or his or their agent who shall communicate, receive,
8 execute or display in any manner any such offer to so buy or sell, or any
9 statement or quotation of the prices of any such property with a view of any
10 pretended transaction as described in section 1, shall for any such offense be
11 deemed and held to be an accessory thereto, and upon conviction thereof
12 shall be fined the same as the principal.

§ 3. It shall be the duty of every commission merchant, copartnership,
2 association, corporation, broker or agent doing business as such, to furnish
3 at the time of the sale, to all customers to such commission merchants,
4 copartnership, corporation, association, broker or agent who has executed
5 any order for the actual purchase or sale of the commodities heretofore
6 mentioned, either for the immediate or future delivery, a written statement
7 containing the names of the parties from whom such property was bought,
8 and to whom it shall have been sold, the time when and the place where,
9 and the price at which the same was either bought or sold. And the said
10 commission merchant, copartnership, corporation, association, broker, agent
11 or other person, shall keep a book in which such transactions shall be
12 fully described as above set forth, which said book shall be open to the

13 inspection of the judges of the circuit and criminal courts, State's attorney
14 or foreman of any grand jury, whenever he or they shall desire to exam-
15 ine the same, and any failure of the said commission merchant, copartner-
16 ship, corporation, association, broker or other person who shall fail to
17 furnish such statement to his customers, or to keep such record, shall be
18 *prima facie* evidence that said commodities were not sold or bought in a
19 legitimate manner, upon the open market, but that the same were so
20 bought or sold contrary to the provisions of this statute.

§ 4. Whoever knowingly permits any of the acts by this act made
2 illegal in his building, house, or in any out-house, booth or arbor, or
3 building of any kind, or on premises of which he has the care or posses-
4 sion, shall be fined not less than \$500 nor more than \$1,000, and any
5 penalties so adjudged shall be a lien upon the premises on or in which such
6 unlawful acts are carried on or permitted. It is the intention of this act to
7 prevent, punish and prohibit in this State all gambling transactions in grain,
8 provisions or other farm produce, no matter where conducted in the State.
9 And it shall be the duty, under this act, of all judges of the several circuit
10 and criminal courts in this State, at every regular term thereof, to charge all
11 regularly impaneled grand juries to make due investigation, and indict
12 for all violations of this act, and it shall be the duty of the prosecuting
13 attorneys of the several counties of this State, to prosecute all such indict-
14 ments found by their several grand juries, and for each and every conviction
15 thereof, they shall receive as their fees the sum of \$100 and fifty per centum
16 of the fine collected. The balance of said fine to be paid to the school fund of
17 the county where said conviction is had.

§ 5. It is further hereby declared unlawful for any association, corpo-
2 ration, partnership, commission merchant, broker or owner of any elevator
3 or warehouse within the State of Illinois to execute a warehouse or
4 elevator receipt calling for a greater number of bushels of grain than is
5 actually stored in said elevator, and the person so offending shall be
6 subjected to a fine of not less than \$500 nor more than \$1,000 for the

7 first offense, and for the second offense the person so offending shall be
8 imprisoned in the penitentiary for not less than one year nor more than
9 five years.

§ 6. That any persons violating either or any of the provisions of this
2 act, as described in section 1, shall, upon conviction, be fined in the sum
3 of not less than \$200 nor more than \$1,000 for the first offense, and for
4 the second offense, shall be imprisoned in the penitentiary for not less
5 than one nor more than five years.

§ 7. That every corporation, association, partnership or person or agent
2 who shall buy or sell, or transmit any order to buy or sell, by telegram
3 letter or otherwise, shall execute for another an order for buying or selling
4 in violation of this act, shall be deemed guilty under the same, and liable
5 to prosecution in the county from which the order was sent or in the
6 county where the same is executed, to the penalties provided for in the
7 preceding section.

§ 8. This act shall not apply to sales by farmers of products of their own
2 farms, or to millers as to the product of their own mills, or to pork packers
3 as to the product of their own establishments.

1. Introduced by Mr. Darnell February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back February 1, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend section one (1) of an act entitled "An act enabling school districts acting under special charters, to hold elections for the election of school directors, and members of boards of education, at the time provided for the election of school directors under the school laws of this State," approved June 29, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section one (1) of an act entitled "An act
3 enabling school districts acting under special charters to hold elections for
4 the election of school directors, and members of boards of education, at
5 the time provided for the election of school directors under the school
6 laws of this State," approved June 29, 1885, in force July 1, 1885, be
7 amended so as to read as follows:

8 "Section 1. That in all cases where the time for the election of members
9 of boards of directors and boards of education is fixed by virtue of any
10 special charter, such election may be held at the time now provided, or
11 which may hereafter be provided, for the election of school directors
12 under the school laws of this State, and that such election may be held at
13 such place in the school district as may be designated by the board of
14 directors or board of education of such school district and such boards of
15 directors or boards of education when elected shall meet and organize at

16 the time and in the manner now provided, or which may hereafter be
17 provided under the school laws of this State.”

§ 2. All acts and parts of acts inconsistent with this act are hereby
2 repealed.

§ 3. Whereas, the election of directors occurs prior to July 1, therefore
2 an emergency exists and this act shall be in force and take effect from and
3 after its passage.

1. Introduced by Mr. Torrance, February 1, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back March 24, 1887, passage recommended and ordered to be referred to Committee on Appropriations.
4. Reported back March 31, 1887, passage recommended and ordered to second reading.

A BILL

For An Act making appropriations to the State Reform School.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following sums be and are hereby appro-
3 priated to the State Reform School at Pontiac, for the purposes herein
4 named:

5 For ordinary expenses fifty thousand dollars per annum, payable quarterly
6 in advance, from the first of July, 1887, to the expiration of the first fiscal
7 quarter after the adjournment of the next General Assembly.

8 For an artesian well, three thousand dollars.

9 For rebuilding the front steps of the main building, one thousand dollars

10 For repairs and improvements, one thousand dollars per annum.

11 For boys library, three hundred dollars per annum.

§ 2. The moneys herein appropriated shall be paid to the trustees in the
2 manner provided by law.

1. Introduced by Mr. Shutt, February 1, 1887, and ordered to first reading.
2. First reading, February 1, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back, April 29, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend "An act to provide for Drainage for Agricultural and Sanitary Purposes," approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That "An act to provide for Drainage for Agri-*
3 *culture and Sanitary purposes," approved June 27, 1885, and in force July*
4 *1, 1885, be and the same is amended by adding the following section*
5 *thereto:*

6 "Section 77½. That a majority of the adult land owners, owning the
7 major part of the lands in any given territory, requiring drainage for agri-
8 cultural or sanitary purposes, may organize the same into a drainage dis-
9 trict by mutual agreement in writing, setting forth a description of the lands
10 incorporated in such district with the name of the owners so far as they can
11 be ascertained, the location or general course of the proposed drain or ditch,
12 the character and dimensions of the same, the probable cost thereof, and such
13 further stipulations to accomplish the aim or object in view, as may be agreed
14 to or as may be deemed advisable, in the most economical, thorough and
15 speediest manner. Said agreement may also include the appointment of three
16 persons as commissioners, whose powers, duties, rights and obligations shall
17 be the same as those of drainage commissioners in other districts under this
18 act, except that they shall not have the right to classify the lands in said

19 district for benefits, nor shall they receive any compensation for their ser-
20 vices, except that their actual expenses may be reimbursed to them, and
21 upon the death, resignation, or refusal of any one or more to act, a majority
22 of the land owners in the district may fill the vacancy or vacancies.
23 Within thirty days after the completion of the organization of said district
24 by the signing of the agreement aforesaid, the commissioners therein designa-
25 ted shall have the same recorded on the drainage records of every county
26 into which the district extends and apply to the county judge of the county
27 in which the major part of the lands incorporated in said district lie whose
28 duty it shall be to appoint three discreet persons having no interest in said
29 district who shall proceed to make a careful and just classification of benefits
30 for the lands situate in said district as provided in section 21 of this act.
31 and the same rights of objection and appeal shall lie from this said classifica-
32 tion, and the like powers of review and confirmation by them, as now provi-
33 ded in this act: the compensation of said persons in making said classifica-
34 tion shall be the same as is now provided for drainage commissioners in
35 other districts under this law. When the classification aforesaid is com-
36 pleted, the commissioners designated under or by the terms of said agree-
37 ment, shall take, charge and proceed to carry out the stipulations of said
38 mutual agreement as near as may be, and this law applicable thereto for the
39 accomplishment of the protected drainage, and their acts shall be as valid to
40 all intents and purposes in levying assessments, acquiring the right of way,
41 letting contracts, issuing bonds, and for all other needful purposes to effect
42 the end in view as though said district was organized in the mode or modes
43 hereinbefore provided for other drainage districts, except only as limited in
44 this section and as their acts may be controlled by the stipulations of
45 the mutual agreement aforesaid. The commissioners shall keep a drainage
46 record in which shall be entered, from time to time, all their acts, con-
47 tracts, orders, disbursements, expenses, etc., which shall be open to the in-
48 spection of any person interested therein.

1. Introduced by Mr. Southworth, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Judiciary.
3. February 16, 1887, reported back, passage recommended and ordered to second reading.

A BILL

For An Act to amend section six (6) of an act entitled "An act concerning Circuit Courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of Cook county," approved May 24, 1879, in force July 1, 1879; as amended by act approved June 30, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section six (6) of an act entitled "An act con-
3 cerning circuit courts, and to fix the time for holding the same in the several
4 counties in the judicial circuits in the State of Illinois, exclusive of Cook
5 county," approved May 24, 1879, in force July 1, 1879; as amended by act
6 approved June 30, 1885, in force July 1, 1885, be, and the same is amended
7 so as to read as follows:

8 "Section 6. In the county of Sangamon on the first Mondays of Septem-
9 ber, November, January, March and May; in the county of Montgomery on
10 the first Monday of November and third Monday of January and April;
11 *Provided,* that the January term in Montgomery county and May term in
12 Sangamon county shall have no jury summoned, unless the same is done on
13 the written order of the judge. In the county of Macoupin on the third
14 Monday in February and first Monday in June and third Monday in Septem-
15 ber. In the county of Christian on the first Monday in March, last Monday

16 in June, first Monday in August and third Monday in November: *Provided,*
17 that the said June term shall be devoted exclusively to the trial of chancery
18 causes, and the trial or transaction of any business in criminal and civil cases
19 not requiring a jury, and no jury shall be impaneled for said June term. In
20 the county of Fayette on the third Tuesday after the first Tuesday in Feb-
21 ruary and the fourth Tuesday after the third Tuesday in August. In the
22 county of Shelby on the first Tuesday of April, and on the eighth Tuesday
23 after the third Tuesday of August."

1. Introduced by Mr. Southworth, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 2, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877, be amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person shall practice medicine in any of its departments in this State unless such person possesses the qualifications required by this act. If a graduate in medicine, he shall present his diploma to the State Board of Health for verification as to its genuineness. If the diploma is found genuine, and from a legally chartered medical institution in good standing, and if the person named therein be the person claiming and presenting the same, the State Board of Health shall issue its certificate to that effect signed by all of the members thereof, and such certificate shall be conclusive as to the right of the lawful holder of the same to practice medicine in this State. If not a graduate, the person practicing medicine in this State shall present himself before said Board and submit himself to such examination as the Board may require, and if the examination be satisfactory to the Board, the said Board shall issue its

15 certificate in accordance with the facts and the lawful holder of such certificate
16 shall be entitled to all the rights and privileges herein mentioned.

§ 2. The State Board of Health shall organize within three months after
2 the passage of this act, it shall procure a seal, and shall receive through
3 its secretary, applications for certificates and examinations; the president
4 and secretary shall have authority to administer oaths, and the Board to
5 take testimony in all matters relating to its duties; it shall issue certificates
6 to all who furnish satisfactory proof of having received diplomas or licenses
7 from legally chartered medical institutions in good standing as may be
8 determined by the Board; it shall prepare three forms of certificates, one
9 for persons in possession of such diplomas or licenses the second for candidates
10 examined and favorably passed on by the Board, and a third for persons to
11 whom certificates may be issued as hereinafter provided in section 12 of this
12 act; it shall furnish to the county clerks of the several counties a list of
13 all persons receiving certificates. In selecting places to hold its meetings,
14 it shall as far as is reasonable, accommodate applicants residing in different
15 sections of the State, and due notice shall be published of all of its meetings
16 for examination. Certificates shall be signed by all the members of the
17 Board, and the secretary of the Board shall receive from the applicant a
18 fee of five (\$5) dollars for each certificate issued to such graduate or
19 licentiate. Graduates or licentiates in midwifery to pay the sum of two
20 (\$2) dollars for each certificate. All such fees for certificates shall be paid
21 by the secretary into the treasury of the Board.

§ 3. The verification of the diploma shall consist in the affidavit of the
2 holder and applicant that he is the lawful possessor of the same, and that
3 he is the person therein named. Such affidavit may be taken before any
4 person authorized to administer oaths, and the same shall be attested under
5 the hand and official seal of such officer, if he have a seal; and any person
6 swearing falsely shall be deemed guilty of perjury, and punished accord-
7 ingly. Graduates may present their diplomas and affidavits as provided
8 in this act, by letter or by proxy, and the State Board of Health shall

9 issue its certificate the same as though the owner of the diploma was
10 present.

§ 4. All examinations of persons not graduates or licentiates, shall be
2 made directly by the Board, and the certificates given by the Board shall
3 authorize the possessor to practice medicine and surgery in the State of
4 Illinois.

§ 5. Every person holding a certificate from the State Board of Health
2 shall have it recorded in the office of the clerk of the county in which
3 he resides within three months from its date, and the date of recording
4 shall be endorsed thereon. Until such certificate is recorded as herein
5 provided the holder thereof shall not exercise any of the rights
6 or privileges conferred therein to practice medicine. Any person
7 removing to another county to practice shall record the certificate in like
8 manner, in the county to which he removes, and the holder of the certi-
9 ficate shall pay to the county clerk the usual fees for making the record.

§ 6. The county clerk shall keep, in a book provided for the purpose,
2 a complete list of the certificates recorded by him, with the date of the
3 issue of the certificate. If the certificate be based on a diploma or
4 license, he shall record the name of the medical institution conferring it,
5 and the date when conferred. The register of the county clerk shall be
6 open to public inspection during business hours.

§ 7. The fees for the examination of non-graduates shall be as follows:
2 Twenty-five (\$25) dollars for an examination in medicines and surgery; ten
3 (\$10) dollars for an examination in midwifery only; and said fees shall be
4 paid into the treasury of the Board, and shall be paid by each applicant,
5 whether a certificate is issued or not. Upon successfully passing the
6 examination the certificate of the Board shall be issued to the applicant
7 without further charge.

§ 8. Examinations may be made in whole or in part in writing, and shall
2 be of an elementary and practical character, but sufficiently strict to test
3 the qualifications of the candidate as a practitioner.

§ 9. The State Board of Health may refuse to issue the certificates provided for in section 2 to individuals guilty of unprofessional or dishonorable conduct, and it may revoke such certificates for like causes. In all cases of refusal or revocation the applicant may appeal to the Governor, who may affirm or overrule the decision of the Board, and this decision shall be final.

§ 10. Any person shall be regarded as practicing medicine, within the meaning of this act, who shall treat, operate on, or prescribe for the sick or afflicted. But nothing in this act shall be construed to prohibit gratuitous service in cases of emergency. And this act shall not apply to commissioned surgeons of the United States Army, Navy or Marine Hospital Service in the discharge of their official duties.

§ 11. Any itinerant vender of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of disease or injury, or who shall by writing or printing or any other method, profess to cure or treat disease or deformity, by any drug, nostrum, manipulation or other expedient, shall pay a license of one hundred dollars (\$100) per month into the treasury of the Board, to be collected by the State Board of Health in the name of the People of the State of Illinois for the use of said Board of Health in an action of debt before any court of competent jurisdiction.

§ 12. Any person practicing medicine or surgery in the State without the certificate issued by this Board in compliance with the provisions of this act, shall for each and every instance of such practice forfeit and pay to the People of the State of Illinois for the use of the said State Board of Health the sum of one hundred dollars (\$100) for the first offense, and two hundred dollars (\$200) for each subsequent offense, the same to be recovered in an action of debt before any court of competent jurisdiction, and any person filing or attempting to file as his own the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of a felony, and upon conviction, shall be subject to such fine and imprisonment as are made and provided by the statutes of the State for the

12 crime of forgery: *Provided*, that all persons who have been practicing
 13 medicine continuously for ten years within this State prior to the taking
 14 effect of the act to which this is an amendment, and who have not under
 15 said original act obtained a certificate from said Board of Health to prac-
 16 tice medicine in this State, shall upon proper application to said Board of
 17 Health receive such certificate, unless it shall be ascertained and determined
 18 by said Board of Health that the person so applying for a certificate is
 19 of immoral character, or guilty of unprofessional or dishonorable conduct,
 20 in which case, said Board of Health may reject such application. *And*,
 21 *provided*, that such application for a certificate shall be made within six
 22 months after the taking effect of this act, and all persons holding a cer-
 23 tificate on account of ten years' practice shall be subject to all the
 24 requirements and discipline of this act, and the act to which this is an
 25 amendment, in regard to their future conduct in the practice of medicine
 26 the same as all other persons holding certificates, and all persons not
 27 having applied for or received such certificate within six months after
 28 the taking effect of this act, and all persons whose applications have for
 29 the causes herein named been rejected or certificates revoked, shall, if
 30 they shall practice medicine, be deemed guilty of practicing in violation
 31 of law, and shall suffer the penalties herein provided.

§ 2. All acts and parts of acts inconsistent or in conflict with this act,
 2 are hereby repealed.

AMENDMENTS PROPOSED BY THE COMMITTEE ON LICENSE AND MISCELLANY.

Amend section 11 by inserting after the word "Health," in line 13, the
 2 following

3 "And it shall be lawful for the State Board of Health to issue such
 4 license on application made to the State Board of Health, such license to be
 5 signed by the President of the Board, and attested by the Secretary of the

6 Board, with the seal of the Board. Any such itinerant vender who shall
7 vend or sell any such drug, nostrum, ointment or appliance without having
8 a license so to do, shall, if found guilty, be fined in any sum not less than
9 one hundred dollars, and not exceeding two hundred dollars for each offense,
10 to be recovered in an action of debt before any court of competent juris-
11 diction. But such Board may for sufficient cause refuse such license.

12 "Section 13. Upon conviction of either of the offenses mentioned in this
13 act, the court shall, as part of the judgment, order that the defendant be
14 committed to the common jail of the county until the fine and costs are
15 paid, and upon failure to pay the same immediately, the defendant shall be
16 committed under said order. *Provided*, that either party may appeal in the
17 same time and manner as appeals may be taken in other cases, except
18 that where an appeal is prayed in behalf of the people, no appeal bond shall
19 be required to be filed, whether the appeal be from a justice of the peace,
20 or from the county or circuit court, or from the appellate court. But it shall
21 be sufficient, in behalf of the people of the State of Illinois, for the use of
22 the State Board of Health, to pray an appeal, and thereupon appeal may be
23 had without bond or security."

1. Received from House April 27, 1887, and ordered to first reading.
 2. First reading, April 27, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend section sixty-two as amended May 30, 1881, in force May 30, 1881, of "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section sixty-two as amended May 30, 1881, in*
3 *force May 30, 1881, of "An act to provide for the election and qualification of*
4 *justices of the peace and constables, and to provide for the jurisdiction and*
5 *practice of justices of the peace in civil cases, and fix the duties of constables*
6 *and to repeal certain acts therein named," approved April 1, 1872, in force*
7 *July 1, 1872, be amended as follows:*

8 "Section 62. Appeals from judgments of justices of the peace and police
9 magistrates to the circuit or county court, if such jurisdiction shall be conferred
10 upon the county court by law, shall be granted in all cases except on judg-
11 ments confessed, and in the county of Cook appeals may also be granted to
12 the superior court of said county: *Provided*, the party praying for an appeal
13 shall within twenty days from the rendition of the judgment from which he
14 desires to take an appeal, enter into bond, with security to be approved and
15 conditioned as hereinafter provided, in substance as follows:

16 Know all men by these presents, that we, A. B., and C. D., are held and
17 firmly bound unto E. F. in the penal sum of (here insert double the amount
18 of judgment and costs) lawful money of the United States, for the payment
19 of which well and truly to be made, we bind ourselves, our heirs and adminis-
20 trators jointly, severally and firmly by these presents.

21 Witness our hand and seal this.....day of....., 18....

22 The condition of the above obligation is such that whereas the said E. F.
23 did on the.....day of....., A. D., 18...., before.....

24, a justice of the peace or police magistrate for.....

25 district, city or village, recover a judgment against the above bonded A. B.

26 for the sum of.....dollars (or for costs as the case may be) from which

27 judgment the said A. B.....has taken an appeal to the.....court in

28 the county of..... Now if the said A. B. shall prosecute his

29 appeal with effect, and pay whatever judgment may be rendered against him

30 by said court upon the trial of said appeal, or by consent, or in case the

31 appeal is dismissed, or in case the matter in controversy is settled between

32 the parties to the suit without a trial by the court appealed to, will pay the

33 judgment rendered against him by said justice or police magistrate and all

34 costs that have been made before the justice or police magistrate, and all costs

35 occasioned by said appeal, (or if the judgment appealed from is in favor of the

36 appellant, omit the words judgment) rendered against him by said justice or

37 police magistrate. Then the above obligation to be void, otherwise to remain

38 in full force and effect.

39 A. B. [SEAL.]

40 C. D. [SEAL.]

41 Approved by me this.....day of....., A. D. 18....

1. Introduced by Mr. Strattan, February 2, 1887, and ordered to first reading.
 2. First reading February 2, 1887, and referred to Committee on Municipalities.
 3. Reported back February 25, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend article nine of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, by adding thereto the following sections:

SECTION 1 *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly. Section 55. That the amount of any special assessment for any local improvement in any city or village which shall exceed in the aggregate the sum of fifteen thousand dollars may be divided into instalments, when so provided by the ordinance providing for the said improvement, the first of which shall not exceed the sum of twenty-five per cent. of the total of said assessment, and which shall be due and payable from and after confirmation of said assessment. The remaining portion of said assessment after deducting the said first instalment, shall be divided into four equal annual instalments, which said instalments shall be payable annually thereafter and collected in the same manner that other assessments are now collected. Each of said four last named instalments shall bear interest at the rate of six per cent. per annum from and after the first day of July next succeeding the confirmation of said assessment. *Provided*, that when the said confirmation shall not be had before the first day of March in any year, that said four last named instalments shall not bear interest until the first day of July in the following year after the said confirmation."

"Section 56. That any instalment or instalments which may be assessed against any tract, lot, block or piece of land may be paid at any time before maturity,

20 in which case interest shall be charged only to the time of payment, and
21 upon such payment the property for which said payment is made shall be
22 discharged from the lien to the extent of such payment."

23 "Section 57. Whenever any city or village desires to make the collection
24 of any special assessment, as aforesaid by instalments under the provision of
25 this act, the ordinance providing for said improvement shall also state that
26 the same shall be collected by instalments, and fix the amount of the first
27 instalment."

28 "Section 58. Upon the assessment roll to be returned by the commissioners
29 shall be designated, in appropriate columns, first the amount of each instal-
30 ment, second the total amount of the assessment, which said items shall be
31 carried out and set opposite each tract, lot or piece of property so assessed."

32 "Section 59. The notice to be given by the collector as now provided for
33 by law when the assessment is under the provisions of this act, in addition
34 to what is now required, shall contain the amount of each instalment, the
35 rate of interest deferred instalments bear, the date of payment and that the
36 whole of said assessment, or any instalment thereof, may be paid at any
37 time at the option of the owner or owners of said lot, block, piece or tract."

38 "Section 60. The order of confirmation that shall be entered upon the
39 return of any such assessment roll shall apply to all of the instalments
40 thereof and may be entered in one order."

41 "Section 61. The warrant for the collection of any such special assess-
42 ment to be made hereunder shall contain a copy of such certificate of the
43 judgment, describing the lots, blocks, tracts or parcels of lands assessed and
44 the respective amounts assessed upon each lot, tract, piece or parcel of land
45 and the year in which each instalment is payable."

46 "Section 62. Proceedings for judgment and sale against lots, tracts, pieces
47 and parcels of land for which the assessment has not been paid shall be had
48 in the same manner as now provided upon each instalment in the respective
49 years in which they become due and payable and the laws now in force in
50 so far as they are applicable shall apply."

1. Introduced by Mr. Stratton, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Municipalities.
3. Reported back February 25, passage recommended, and ordered to second reading.
4. Second reading March 16, 1887, amended and ordered to a third reading.

A BILL

For An Act to amend article nine of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, by adding thereto the following sections

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That article nine of an act entitled "An act to pro-
3 vide for the incorporation of cities and villages," approved April 10, 1872,
4 in force July 1, 1872, be and the same is hereby amended by adding the follow-
5 ing sections, viz.,

6 "Section 55. That the amount of any special assessment for any local
7 improvement in any city, incorporated town or village may be divided into
8 installments, when so provided by the ordinance providing for the said im-
9 provement, the first of which shall not exceed the sum of twenty-five per
10 cent. of the total of said assessment, and which shall be due and payable
11 from and after confirmation of said assessment. The remaining portion of said
12 assessment, after deducting the first installment, shall be divided into four equal
13 annual installments, which said installments shall be payable annually there-
14 after and collected in the same manner that other assessments are now collected.
15 Each of said four last named installments shall bear interest at the rate of
16 six per cent. per annum from and after the first day of July next succeeding
17 the confirmation of said assessment: *Provided, that when the said confirma-*

tion shall not be had before the first day of March in any year, that said four last named installments shall not bear interest until the first day of July in the following year after the said confirmation: *Provided*, that in cities containing a population of fifty thousand or more this and the following sections shall not apply, except when such special assessments shall exceed in the aggregate the sum of fifty thousand dollars.

"Section 56. That any installment or installments which may be assessed against any tract, lot, block or piece of land may be paid at any time before maturity, in which case interest shall be charged only to the time of payment, and upon such payment the property for which said payment is made shall be discharged from the lien to the extent of such payment.

"Section 57. Whenever any city, incorporated town or village desires to make the collection of any special assessment, as aforesaid by installments under the provision of this act, the ordinance providing for said improvement shall also state that the same shall be collected by installments, and fix the amount of the first installment.

"Section 58. Upon the assessment roll to be returned by the commissioners shall be designated in appropriate columns, first, the amount of each installment, second, the total amount of the assessment, which said items shall be carried out and set opposite each tract, lot or piece of property so assessed.

"Section 59. The notice to be given by the collector, as now provided for by law when the assessment is under the provisions of this act, in addition to what is now required shall contain the amount of each installment, the rate of interest deferred installments bear, the date of payment and that the whole of said assessment, or any installment thereof, may be paid at any time at the option of the owner or owners of said lot, block, piece or tract.

"Section 60. The order of confirmation that shall be entered upon the return of any such assessment roll shall apply to all of the installments thereof and may be entered in one order.

49 "Section 61. The warrant for the collection of any such special assess-
 50 ment, to be made hereunder shall contain a copy of such certificate of the
 51 judgment, describing the lots, blocks, tracts or parcels of lands assessed and
 52 the respective amounts assessed upon each lot, tract, piece or parcel of land,
 53 and the year in which each installment is payable.

54 "Section 62. Proceedings for judgment and sale against lots, tracts, pieces
 55 and parcels of land for which the assessment has not been paid shall be
 56 had in the same manner as now provided upon each installment in the
 57 respective years in which they become due and payable, and the laws now
 58 in force, in so far as they are applicable, shall apply.

59 "Section 63. Payment for any improvement done or performed under the
 60 provisions of this act shall be made in the following manner: From the
 61 amount of the first payment, when it shall be collected, shall first be paid all
 62 the costs of making the said assessment, including court costs. The remainder
 63 of said payment shall then be paid to the person or persons entitled thereto
 64 on the contract for said work. The amount remaining due upon the con-
 65 tract for said improvement shall then be divided into four equal parts and
 66 the authorities of any city, incorporated town or village shall issue a voucher
 67 to the person or persons entitled thereto for each part payable in same
 68 order and manner that the installments are payable, and said vouchers shall
 69 bear the same rate of interest per annum that the said installments bear.
 70 Said voucher shall be made payable to the order of the person or persons
 71 entitled thereto, and state the improvement and the installment for which
 72 they are issued. They shall also contain the following: "In consideration
 73 of the issuing of this voucher I hereby for self heirs, executor, admin-
 74 istrators and assigns accept the same in full payment of the amount herein
 75 stated, and relinquish any and all claims or liens I may have against the
 76 (city, incorporated town or village) of for the work mentioned herein,
 77 or for the payment of this voucher, except from the collection of the
 78 installment herein named. (Signature of person receiving the same)."

79 "Section 64. Any person or persons accepting the vouchers, as provided
 80 herein, for work done or performed upon any local or public improvement,

81 shall have no claim or lien upon the city, incorporated town or village in
82 any event for the payment of said vouchers, or the interest, except from
83 the collection of the installments for which said vouchers are issued, and
84 provided that this section shall apply to all holders of any of said vouch-
85 ers, whether the original contractors or their assigns.

86 "Section 65. If, upon the payment of the money and issuance of the
87 vouchers, as provided for in the last section hereof, there shall be any
88 surplus remaining of said special assessment over and above the payment
89 aforesaid, it shall be the duty of the proper authorities of said city, incor-
90 porated town or village to at once cause the respective installments to be
91 credited with their respective proportion of said surplus, and in case any
92 person or persons have, before said credit has been entered, paid his assess-
93 ment or any part thereof, without having received the benefit of said credit,
94 the proper authorities shall at once cause notice of such over payment to
95 be sent by mail to the person by whom such over payment was made,
96 and, upon proper proofs, the same shall be repaid.

97 "Section 66. In case said special assessment shall be made for the pur-
98 pose of paying the compensation awarded for the taking or damaging of
99 private property for public use, payments may be made as provided herein
100 in the case of contracts let, and the acceptance by the owner of any lot,
101 piece or tract taken or damaged of the vouchers issued shall be deemed
102 payment to said owner or owners of said compensation, and upon proof
103 thereof an order of possession may be entered, as is now provided: *Provided,*
104 that after a special assessment has been confirmed to pay for property
105 taken or damaged for public use, the city council in cities, and the presi-
106 dent and board of trustees in villages may appropriate and advance a
107 sufficient amount to pay the compensation awarded, or so much of the
108 same as shall not have been paid by acceptance of vouchers as herein
109 provided: *Provided, however,* that such appropriation and advancement shall
110 in no way affect the collection of said assessment, but the same shall be
111 collected in the same manner as though said appropriation had not been
112 made: *And, provided farther,* that when such assessment shall have been

113 collected that the same, together with the interest thereon, shall be paid
 114 into the general fund of said city, incorporated town or village in liquida-
 115 tion of the amount so advanced.

116 "Section 67. In all cases where special assessments shall have been
 117 made, but not confirmed, it shall be lawful for any city, incorporated town
 118 or village, through its legislative body, to provide by ordinance that said
 119 assessment may be collected by installments, under the provisions of this act.

120 "Section 68. It is hereby declared that an emergency exists, and there-
 121 fore this act shall be in force from and after its passage."



1. Introduced by Mr. Washburn, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Insurance.
3. Reported back March 16, passage recommended, and ordered to second reading.

A BILL

For An Act to organize Farmers' County Mutual Live Stock Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any number of persons, not less than twenty-
3 five, residing in any county in this State, who collectively shall own property
4 of not less than fifty thousand dollars (\$50,000) in value, twenty thousand dol-
5 lars (\$20,000) of which shall consist of insurable live stock which they desire
6 to have insured, may form an incorporated company for the purpose of
7 mutual live stock insurance against loss by death from any cause: *Provided,*
8 that such loss by death shall not be the wilful negligence on the part of the
9 owner of such insured stock.

§ 2. Such persons shall file with the Auditor of Public Accounts, a declara-
2 tion of their intention to form a company for the purposes expressed in the
3 preceding section, which declaration shall be signed by all the corporators, and
4 shall contain a copy of the charter proposed to be adopted by them. Such
5 charter shall set forth the name of the corporation, and also the name of the
6 city, town or village in which the business office of such company is to be
7 located, and the intended duration of the company; and if it is found conform-
8 able to this act, and not inconsistent with the laws and Constitution of this
9 State, the Auditor shall thereupon deliver to such persons a certified copy of

10 the charter, which on being filed in the office of the county clerk of the
 11 county where the office of such company is to be located, shall be their
 12 authority to organize and commence business. Such certified copy of charter
 13 may be used in evidence for or against said company the same as the original;
 14 *Provided*, that such charter so obtained shall be subject to control of and
 15 modification by the General Assembly.

§ 3. The number of directors shall not be less than one nor more than five
 2 from any one township in the county; a majority of whom shall constitute a
 3 quorum to do business; to be elected from the incorporators by ballot, and
 4 hold their offices until their successors are elected and qualified. In the elec-
 5 tion of the first board of directors each corporator shall be entitled to one vote
 6 for each director. All subsequent elections except to fill vacancies shall be
 7 held at the annual meeting of the company, which shall be on the first Tues-
 8 day after the first Monday of January in each year, and every person insured
 9 shall be entitled to as many votes as there are directors to be elected; and
 10 may cast the same in person or by proxy, distributing them among the same
 11 or a less number of candidates than the number of directors to be elected or
 12 accumulating them upon one candidate as he shall think fit

§ 4. The directors shall elect from their number a president and a treas-
 2 urer, and also elect a secretary who may or may not be a member of the
 3 company; all of whom shall hold their offices for one year and until their suc-
 4 cessors are elected and qualified

§ 5. The treasurer and secretary shall each give bonds to the company for
 2 the faithful performance of their duties, in such amounts as shall be pre-
 3 scribed by the board of directors.

§ 6. Such corporation and its directors shall possess the usual powers and
 2 be subject to the usual duties of corporations and directors thereof, and may
 3 make such by-laws not inconsistent with the Constitution or laws of this
 4 State as may be deemed necessary for the management of its affairs in
 5 accordance with the provisions of this act; also to prescribe the duties of its
 9 officers and agents, and fix their compensation; and to alter and amend its
 10 by-laws when necessary.

1. Introduced by Mr. Washburn, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Insurance.
3. Reported back March 16, passage recommended, and ordered to second reading.

A BILL

For An Act to organize Farmers' County Mutual Live Stock Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any number of persons, not less than twenty-five, residing in any county in this State, who collectively shall own property of not less than fifty thousand dollars (\$50,000) in value, twenty thousand dollars (\$20,000) of which shall consist of insurable live stock which they desire to have insured, may form an incorporated company for the purpose of mutual live stock insurance against loss by death from any cause: Provided, that such loss by death shall not be the wilful negligence on the part of the owner of such insured stock.*

§ 2. Such persons shall file with the Auditor of Public Accounts, a declaration of their intention to form a company for the purposes expressed in the preceding section, which declaration shall be signed by all the incorporators, and shall contain a copy of the charter proposed to be adopted by them. Such charter shall set forth the name of the corporation, and also the name of the city, town or village in which the business office of such company is to be located, and the intended duration of the company; and if it is found conformable to this act, and not inconsistent with the laws and Constitution of this State, the Auditor shall thereupon deliver to such persons a certified copy of

10 the charter, which on being filed in the office of the county clerk of the
 11 county where the office of such company is to be located, shall be their
 12 authority to organize and commence business. Such certified copy of charter
 13 may be used in evidence for or against said company the same as the original:
 14 *Provided*, that such charter so obtained shall be subject to control of and
 15 modification by the General Assembly.

§ 3. The number of directors shall not be less than one nor more than five
 2 from any one township in the county; a majority of whom shall constitute a
 3 quorum to do business; to be elected from the incorporators by ballot, and
 4 hold their offices until their successors are elected and qualified. In the elec-
 5 tion of the first board of directors each corporator shall be entitled to one vote
 6 for each director. All subsequent elections except to fill vacancies shall be
 7 held at the annual meeting of the company, which shall be on the first Tues-
 8 day after the first Monday of January in each year, and every person insured
 9 shall be entitled to as many votes as there are directors to be elected; and
 10 may cast the same in person or by proxy, distributing them among the same
 11 or a less number of candidates than the number of directors to be elected or
 12 accumulating them upon one candidate as he shall think fit

§ 4. The directors shall elect from their number a president and a treas-
 2 urer, and also elect a secretary who may or may not be a member of the
 3 company; all of whom shall hold their offices for one year and until their suc-
 4 cessors are elected and qualified

§ 5. The treasurer and secretary shall each give bonds to the company for
 2 the faithful performance of their duties, in such amounts as shall be pre-
 3 scribed by the board of directors.

§ 6. Such corporation and its directors shall possess the usual powers and
 2 be subject to the usual duties of corporations and directors thereof, and may
 3 make such by-laws not inconsistent with the Constitution or laws of this
 4 State as may be deemed necessary for the management of its affairs in
 5 accordance with the provisions of this act; also to prescribe the duties of its
 9 officers and agents, and fix their compensation; and to alter and amend its
 10 by-laws when necessary.

1. Introduced by Mr. Washburn, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Insurance.
3. Reported back March 16, passage recommended, and ordered to second reading.

A BILL

For An Act to organize Farmers' County Mutual Live Stock Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any number of persons, not less than twenty-five, residing in any county in this State, who collectively shall own property of not less than fifty thousand dollars (\$50,000) in value, twenty thousand dollars (\$20,000) of which shall consist of insurable live stock which they desire to have insured, may form an incorporated company for the purpose of mutual live stock insurance against loss by death from any cause: *Provided,* that such loss by death shall not be the wilful negligence on the part of the owner of such insured stock.

§ 2. Such persons shall file with the Auditor of Public Accounts, a declaration of their intention to form a company for the purposes expressed in the preceding section, which declaration shall be signed by all the incorporators, and shall contain a copy of the charter proposed to be adopted by them. Such charter shall set forth the name of the corporation, and also the name of the city, town or village in which the business office of such company is to be located, and the intended duration of the company; and if it is found conformable to this act, and not inconsistent with the laws and Constitution of this State, the Auditor shall thereupon deliver to such persons a certified copy of

10 the charter, which on being filed in the office of the county clerk of the
 11 county where the office of such company is to be located, shall be their
 12 authority to organize and commence business. Such certified copy of charter
 13 may be used in evidence for or against said company the same as the original.
 14 *Provided*, that such charter so obtained shall be subject to control of and
 15 modification by the General Assembly.

§ 3. The number of directors shall not be less than one nor more than five
 2 from any one township in the county; a majority of whom shall constitute a
 3 quorum to do business; to be elected from the incorporators by ballot, and
 4 hold their offices until their successors are elected and qualified. In the elec-
 5 tion of the first board of directors each corporator shall be entitled to one vote
 6 for each director. All subsequent elections except to fill vacancies shall be
 7 held at the annual meeting of the company, which shall be on the first Tues-
 8 day after the first Monday of January in each year, and every person insured
 9 shall be entitled to as many votes as there are directors to be elected; and
 10 may cast the same in person or by proxy, distributing them among the same
 11 or a less number of candidates than the number of directors to be elected or
 12 accumulating them upon one candidate as he shall think fit

§ 4. The directors shall elect from their number a president and a treas-
 2 urer, and also elect a secretary who may or may not be a member of the
 3 company; all of whom shall hold their offices for one year and until their suc-
 4 cessors are elected and qualified

§ 5. The treasurer and secretary shall each give bonds to the company for
 2 the faithful performance of their duties, in such amounts as shall be pre-
 3 scribed by the board of directors.

§ 6. Such corporation and its directors shall possess the usual powers and
 2 be subject to the usual duties of corporations and directors thereof, and may
 3 make such by-laws not inconsistent with the Constitution or laws of this
 4 State as may be deemed necessary for the management of its affairs in
 5 accordance with the provisions of this act; also to prescribe the duties of its
 9 officers and agents, and fix their compensation; and to alter and amend its
 10 by-laws when necessary.

§ 7. Any person owning insurable live stock in the county for which any such company is formed may become a member of such company by insuring therein; and if he resides in the county in which such company is located, shall be entitled to all the rights and privileges appertaining thereto; but no person not residing in the county in which the company is formed shall become a director of such company.

§ 8. Such company may issue policies only on horses, mules and cattle. Except horses used as street-car horses, livery horses or any horse used on any race or trotting course, for a term not exceeding two years, and not to extend beyond the limited duration of the charter, and for an amount not to exceed one thousand dollars on any one animal. All persons so insured shall give their obligation to the company, binding themselves, their heirs and assigns to pay their pro rata share to the company of the necessary expenses, and of all losses by death which may be sustained by any member thereof during the time for which their respective policies are written; and they shall also, at the time of effecting their insurance, pay such percentage in cash, or secured note due thirty days after date, and such other charge as may be required by the rules or by-laws of the company.

§ 9. Any such company may classify the live stock insured therein at the time of issuing policies thereon, and also the different rates corresponding as nearly as may be to the greater or less risk carried by the company on any one or more animals.

§ 10. No such company shall insure any live stock beyond the limits of the county comprised in the formation of the company, nor shall they be held responsible for loss of stock when taken beyond the limits of this State.

§ 11. Every member of such company who may sustain loss by the death of his insured stock shall immediately notify the president of such company, or in his absence, the secretary thereof, stating the amount of insurance on his animal or animals lost by death; also a statement setting forth the cause of death, if known, and shall also prove the death of such stock by the testimony of two witnesses.

§ 12. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash fund of the company, the president shall convene the directors of said company, who shall make an assessment upon all of the insured property at such uniform rate as they shall deem necessary to meet the payment of losses.

§ 13. It shall be the duty of the president, when such assessment shall have been made, to immediately notify every person composing such company personally, by an agent, or by letter sent to his usual postoffice address of such assessment, and the sum due from him as his share thereof, and of the time when, and to whom such payment is to be made; but such time shall not be less than twenty days nor more than thirty days from the date of such notice.

§ 14. Suits at law may be brought against any member of such company who shall neglect or refuse to pay any assessment made upon him by the provisions of this act; and the directors of any company so formed, who shall willfully refuse or neglect to perform the duties imposed upon them by the provisions of this act shall be liable in their individual capacity to the person sustaining such loss. Suits at law may also be brought and maintained against any such company by members thereof for losses sustained, if payment is withheld after such losses have become due.

§ 15. It shall be the duty of the secretary to prepare an annual statement showing the condition of such company on the 31st day of December, and present the same at the annual meeting of the company.

§ 16. Any member of such company may withdraw therefrom by surrendering his policy for cancellation at any time while the company continues the business for which it was formed by giving notice in writing to the secretary thereof and paying his share of all claims then existing against said company: *Provided*, that by the withdrawal of any such member the number of members remaining in the company shall not be reduced below the original number of incorporators, or that the assets will not be reduced below the amount at the time of the organization: *Provided further*, that the company

1. Received from House April 27, 1887, and ordered to first reading.
2. First reading April 27, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section two (2) of article three (3) of an act entitled
"An act to provide for the incorporation of cities and villages," approved
April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section two (2) of article three (3) of an*
3 *act entitled "An act to provide for the incorporation of cities and villages,"*
4 *approved April 10, 1872, in force July 1, 1872, be and the same is hereby*
5 *amended so as to read as follows:*
6 "Section 2. The number of aldermen, when not elected by the minority
7 representation plan, shall be as follows: In cities not exceeding three
8 thousand inhabitants, six aldermen; exceeding three thousand but not exceed-
9 ing five thousand, eight aldermen; exceeding five thousand and not exceed-
10 ing ten thousand, ten aldermen; exceeding ten thousand and not exceeding
11 thirty thousand, fourteen aldermen; and two additional aldermen for every
12 twenty thousand inhabitants over thirty thousand: *Provided, however, that*
13 *in cities of over 350,000 inhabitants there shall be elected forty-eight*
14 *aldermen, and no more, unless additional territory shall be annexed to such*
15 *city after such city shall have been divided into wards on the basis of*
16 *forty-eight aldermen; in which case, and as often as new territory shall*
17 *be annexed to such city as aforesaid, containing, or which shall afterwards*
18 *contain, fifteen thousand inhabitants or more, the city council of such*

19 city may authorize the legal voters of such newly annexed territory to
20 elect two aldermen, who shall be additional to said forty-eight aldermen,
21 and who shall possess the qualifications of and be elected at the time and
22 in the manner provided in the said act of which this is an amendment,
23 and may designate said new territory as a ward of said city, and if any
24 such annexed territory has less than ten thousand inhabitants, then the
25 common council shall annex it to any ward or wards which it adjoins:
26 *Provided, further,* that whenever, after such new territory shall have been
27 annexed as aforesaid, said city shall be redistricted, the number of wards
28 at the time said city is redistricted shall be preserved and the city council
29 thereof may, in its discretion, change the boundary between such new ward and
30 original territory of the city, and make said new ward larger or smaller
31 to comply with the requirements of said act as to compactness and equality
32 of inhabitants: *And, provided, further,* if it shall appear from any census
33 heretofore or hereafter taken, that any city has the requisite number of
34 inhabitants to authorize it to increase the number of aldermen, it shall
35 be the duty of the city council thereof to proceed without delay and re-
36 district such city in accordance with the provisions hereof and to call and
37 hold its next city election in accordance with such new redistricting:
38 *Provided,* that at such election, the aldermen who hold over, shall be con-
39 sidered aldermen for the new wards respectively in which their residence
40 shall be."

1. Received from House April 27, 1887, and ordered to first reading.
2. First reading April 27, 1887, and ordered to second reading without reference.
3. Second reading May 3, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend section two (2), of article three (3), of an act entitled "An Act to provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section two (2), of article three (3), of an
3 act entitled "An Act to provide for the Incorporation of Cities and Vil-
4 lages," approved April 10, 1872, in force July 1, 1872, be and the same is
5 hereby amended so as to read as follows:

6 "Section 2. The number of aldermen, when not elected by the minority repre-
7 sentation plan, shall be as follows: In cities not exceeding three thousand
8 inhabitants, six aldermen; exceeding three thousand, but not exceeding five
9 thousand, eight aldermen; exceeding five thousand and not exceeding ten
10 thousand, ten aldermen; exceeding ten thousand and not exceeding thirty
11 thousand, fourteen aldermen; and two additional aldermen for every twenty
12 thousand inhabitants over thirty thousand: *Provided, however,* that in cities
13 of over 350,000 inhabitants, there shall be elected forty-eight aldermen and
14 no more, unless additional territory shall be annexed to such city after
15 such city shall have been divided into wards on the basis of forty-eight
16 aldermen; in which case, and as often as new territory shall be annexed
17 to such city as aforesaid, containing, or which shall afterwards contain,
18 fifteen thousand inhabitants or more, the city council of such city may

19 authorize the legal voters of newly annexed territory to elect two alder-
 20 men, who shall be additional to said forty-eight aldermen, and who shall
 21 possess all the qualifications of and be elected at the time and in the
 22 manner provided in the said act of which this is an amendment, and may
 23 designate said new territory as a ward of said city, and if any such
 24 annexed territory has less than ten thousand inhabitants then the common
 25 council shall annex it to any ward or wards which it adjoins: *Provided,*
 26 *further,* that whenever, after such new territory shall have been annexed
 27 as aforesaid, said city shall be re-districted, the number of wards at the
 28 time said city is re-districted shall be preserved and the city council thereof
 29 may, in its discretion, change the boundary between such new ward and
 30 the original territory of the city, and make said new ward larger or smaller
 31 to comply with the requirements of said act as to compactness, and
 32 equality of inhabitants or voters: *And provided, further,* it shall appear,
 33 from any census heretofore or hereafter taken, that any city has the
 34 requisite number of inhabitants to authorize it to increase the number of
 35 aldermen, it shall be the duty of the city council thereof to proceed with-
 36 out delay and re-district such city in accordance with the provisions
 37 hereof, and to call and hold its next city election in accordance with
 38 such new re-districting: *Provided,* that at such election the aldermen who
 39 hold over shall be considered aldermen for the new wards respectively in
 40 which their residence shall be.

SENATE AMENDMENT.

Amend by striking out in line 13, after the word "elected," the word
 2 "forty-eight," and insert "fifty;" also in line 16, after the word "of," in
 3 line 15; also in line 20, after the word "said," strike out in each case
 4 the word "forty-eight" and insert the word "fifty."

1. Introduced by Mr. Evans February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Municipalities.
3. Reported back February 15, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to enable non-residents of this State to hold the office of trustee in colleges, universities and other institutions of learning not under the control of officers of this State;" approved April 2, 1875, in force July 1, 1875.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That section one (1), of said act (the same being the only section thereof) be and the same is hereby amended to read as follows, to-wit:

"Section 1. That in all colleges, universities and other institutions of learning in the State of Illinois, not placed under the control of the officers of this State, whether organized under any general or special law, non-residents of this State shall be eligible to the office of trustee: *Provided*, that in no case shall more than one-third of the members of the board of trustee of any such institution of learning be non-residents of this State, unless elected by or as the representatives of some conference, diocese, district or other division outside this State of a religious association, denomination or body having an organization within this and other States."



1. Introduced by Mr. Funk, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, with amendments, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 1, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations to the Soldiers' Orphans' Home at Normal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following sums be and are hereby appro-
3 priated to the Soldiers' Orphans' Home, at Normal, for the purposes herein-
4 after named:

5 For ordinary expenses the sum of fifty-five thousand (\$55,000) dollars per
6 annum, payable quarterly in advance, from the first day of July, 1887, to
7 the expiration of the first fiscal quarter after the adjournment of the next
8 General Assembly.

9 For repairs and improvements, five thousand (\$5,000) dollars.

10 For books and papers for pupils library five hundred (\$500) dollars.

11 For the salary of a visiting agent to investigate the home surroundings
12 of children who should no longer be kept at the home, and for the purpose
13 of finding homes for those without homes, when discharged, fifteen hundred
14 (\$1,500) dollars per annum, or so much thereof as may be necessary for the
15 purposes herein named.

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees or their order, on the terms and in the manner now provided by
3 law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 186.

Amend line 23, page 1, of said bill by striking out the word "five" and
2 insert in lieu thereof the word "three." Also amend same line by striking
3 out the figures "5000" and insert in lieu thereof the figures "3000."
4 Also amend by striking out all that portion of said bill from line 27 on
5 first page to line 5 on second page of said bill, both inclusive.

1. Introduced by Mr. Funk, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, with amendments, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 1, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations to the Soldiers' Orphans' Home at Normal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That the following sums be and are hereby appropriated to the Soldiers' Orphans' Home, at Normal, for the purposes hereinafter named:

For ordinary expenses the sum of fifty-five thousand (\$55,000) dollars per annum, payable quarterly in advance, from the first day of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and improvements, five thousand (\$5,000) dollars.

For books and papers for pupils library five hundred (\$500) dollars.

For the salary of a visiting agent to investigate the home surroundings of children who should no longer be kept at the home, and for the purpose of finding homes for those without homes, when discharged, fifteen hundred (\$1,500) dollars per annum, or so much thereof as may be necessary for the purposes herein named.

§ 2. The moneys herein appropriated shall be due and payable to the trustees or their order, on the terms and in the manner now provided by law.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 186.

- Amend line 23, page 1, of said bill by striking out the word "five" and
2 insert in lieu thereof the word "three." Also amend same line by striking
3 out the figures "5000" and insert in lieu thereof the figures "3000."
4 Also amend by striking out all that portion of said bill from line 27 on
5 first page to line 5 on second page of said bill, both inclusive.

1. Introduced by Mr. Funk, February 2, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, with amendments, passage recommended and referred to Committee on Appropriations.
4. Reported back April 1, 1887, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 3, 1887, amended and ordered to third reading.

A BILL

For An Act making Appropriations to the Soldiers' Orphans' Home at Normal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the following sums are hereby appropriated*
3 *to the Soldiers' Orphans' Home, at Normal, for the purposes hereinafter*
4 *named:*

5 . For ordinary expenses the sum of fifty-five thousand (\$55,000) dollars per
6 annum, payable quarterly in advance, from the first day of July, 1887, to
7 the expiration of the first fiscal quarter after the adjournment of the next
8 General Assembly.

6 For repairs and improvements, three thousand (\$3,000) dollars.

10 For books and papers for pupils' library, five hundred (\$500) dollars.

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees or their order, on the terms and in the manner now provided by
3 law.

1. Introduced by Mr. Cochran, February 2, 1887, and ordered to first reading.
2. First reading February 2, 1887, and referred to Committee on Insurance.
3. Reported back March 16, 1887, passage recommended, and ordered to second reading

A BILL

For An Act in relation to Fire Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, rep-*

2 *in the General Assembly,* That if any insurance company doing business in
3 this State shall enter into or make any agreement, or shall enter into any
4 compact or combination with any other insurance company or companies
5 for the purpose of establishing, regulating, governing or controlling the
6 rates of insurance charged for fire insurance on property within this State,
7 the Auditor of State shall forthwith revoke the license of such company,
8 and no renewal of any such license so revoked shall be granted within
9 two years from the date of revocation.

1. Introduced by Mr. Funk, February 2, 1887, and ordered to first reading.
2. First reading February 1, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back March 10, 1887, with amendments, passage recommended and referred to Committee on Appropriations.
4. Reported back April 1, 1887, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 3, 1887, amended and ordered to third reading.

A BILL

For An Act making Appropriations to the Soldiers' Orphans' Home at Normal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following sums are hereby appropriated
3 to the Soldiers' Orphans' Home, at Normal, for the purposes hereinafter
4 named:

5 • For ordinary expenses the sum of fifty-five thousand (\$55,000) dollars per
6 annum, payable quarterly in advance, from the first day of July, 1887, to
7 the expiration of the first fiscal quarter after the adjournment of the next
8 General Assembly.

6 For repairs and improvements, three thousand (\$3,000) dollars.

10 For books and papers for pupils' library, five hundred (\$500) dollars.

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees or their order, on the terms and in the manner now provided by
3 law.



-
1. Introduced by Mr. Cochran, February 2, 1887, and ordered to first reading.
 2. First reading February 2, 1887, and referred to Committee on Insurance.
 3. Reported back March 16, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to Fire Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That if any insurance company doing business in
3 this State shall enter into or make any agreement, or shall enter into any
4 compact or combination with any other insurance company or companies
5 for the purpose of establishing, regulating, governing or controlling the
6 rates of insurance charged for fire insurance on property within this State,
7 the Auditor of State shall forthwith revoke the license of such company,
8 and no renewal of any such license so revoked shall be granted within
9 two years from the date of revocation.

1. Received from House April 9, 1887, and ordered to first reading.
2. First reading April 9, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 2 of "An act to revise the law in relation to fences," approved March 21, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of chapter fifty-four (54), be amended so as to read as follows:

"Section 2. Fences four and one-half feet high, and in good repair, consisting of rails, timber, boards, stone, hedges, barb wire, or whatever the fence viewers of the town or precinct where the same shall lie, shall consider equivalent thereto, shall be deemed legal and sufficient fences: *Provided,* that in counties under township organization, the electors, at any annual town meeting, may determine what shall constitute a legal fence in the town; and in counties not under township organization, the power to regulate the height of fences shall be vested in the county board."



1. Received from House April 14, 1887, and ordered to first reading.
2. First reading May 10, 1887, and referred to Committee on Judiciary.
3. Reported back May 19, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to enable parties to avoid delay in the Administration of Justice.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That any two or more persons or corporations may
3 appear in person or by attorney in any circuit court (or in the Superior Court
4 of Cook County) and submit to any judge thereof, orally, and without formal
5 pleadings, any matter in controversy, having first entered into a written agree-
6 ment (to be entered of record) and substantially in the following form, to-wit:
7 "In the circuit court of.....county.
8 *First*—We (here insert names) do hereby mutually agree to submit to Judge
9 (here insert name) of said court certain matters in controversy between us for
10 his determination, without a jury, he to hear the same forthwith and to enter
11 the judgment or decree of the court therein within (here insert number
12 of days or "forthwith") days after such hearing is concluded.
13 *Second*—That said judgment or decree shall contain a statement as to what
14 matters in controversy were so submitted and such statement thereof shall be
15 conclusive.
16 *Third*—That no record except of this agreement and of such judgment or
17 decree shall be made as to the matters in controversy so submitted, or as to
18 the proceedings had on the hearing thereof.
19 *Fourth*—That such judgment or decree may be enforced in like manner as
20 other judgments and decrees of such court.

21 *Fifth*—That we each to the other hereby waive all right of appeal from
 22 such judgment or decree and release all errors that may intervene in the hearing
 23 of the matters so submitted, and in the entering up of the judgment or decree
 24 therein and agree that this release of errors may be plead in bar of any writ
 25 of error that may be sued out as to such judgment or decree.

26 Witness our hands and seals, this day of, A. D

27 [SEAL.]

28 [SEAL.]

29 Such agreement shall be signed by the parties in person or by duly authorized
 30 attorney in fact, and when so executed shall be of binding force upon the
 31 parties thereto in all the courts of this State.

§ 2. It shall be the duty of such judge to proceed and in a summary
 2 manner to hear and determine the matters so submitted, and he shall enter
 3 a judgment or decree therein, within the time fixed in said agreement, which
 4 said judgment or decree shall be final and conclusive, and may be enforced
 5 in like manner as other judgments or decrees of such court, but no appeal
 6 shall be allowed therefrom.

1. Received from House April 28, 1887, and ordered to first reading.
2. First reading April 28, 1887, and referred to Committee on Judicial Department.
3. Reported back May 26, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to Provide for and Regulate the Administration of Trusts by Trust Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any corporation heretofore or be hereafter authorized by any general or special law to accept and execute trusts, may be appointed assignee or trustee by deed, and executor, guardian or trustee by will, and such appointment shall be of like force as in case of appointment of a natural person.

§ 2. Whenever application shall be made to any court in this State for the appointment of any receiver, assignee, guardian, conservator, executor, administrator, or other trustee, it shall be lawful for such court to appoint any such corporation as such trustee, receiver, assignee, guardian, conservator, executor or administrator.

§ 3. Any court having jurisdiction of any receiver, executor, administrator, conservator, guardian, assignee or other trustee, upon the application of such officer or trustee, or upon the application of any person having an interest in the estate administered by such officer or trustee, after such notice to the other parties in interest, as the court may direct, and after a hearing upon such application, may order such officer or trustee to deposit any moneys then in his hands, or which may come into his hands thereafter, and until the further order of said court, with any such corporation, and upon deposit of such money, and its receipt and acceptance by such corporation, the said officer or

10 trustee shall be discharged from further care or responsibility therefor. Such
11 deposits shall be paid out only upon the orders of said court.

§ 4. Whenever, in the judgment of any court having jurisdiction of any
2 estate in process of administration by any assignee, receiver, executor, admin-
3 istrator, guardian, conservator or other trustee, the bond required by law of
4 such officer shall seem burdensome or excessive, upon application of such offi-
5 cer or trustee, and after such notice to the parties in interest as the court
6 shall direct, and after a hearing on such application, the said court may order
7 the said officer or trustee to deposit with any such corporation, for safe keep-
8 ing, such portion or all of the personal assets of said estate as it shall deem
9 proper, and thereupon, said court shall, by an order of record, reduce the bond
10 to be given, or theretofore given by such officer or trustee, so as to cover only
11 the estate remaining in the hands of said officer or trustee, and the property
12 as deposited shall thereupon be held by said corporation under the orders and
13 directions of said court.

§ 5. Such corporations shall not be required to give any bond or security
2 in case of any appointment hereinbefore provided for, except as hereinafter
3 provided, but shall be responsible for all investments which shall be made by
4 it, of the funds which may be entrusted to it for investment by such court,
5 and shall be further liable as natural persons in like positions now are, and
6 as hereinafter provided.

§ 6. Such company shall pay interest upon all moneys held by it by virtue
2 of this act, at such rate as may be agreed upon at the time of its accept-
3 ance of any such appointment, or as shall be provided by the order of the
4 court.

§ 7. Such corporations shall be entitled to, and shall be allowed proper
2 compensation for all the services performed by them under the provisions of
3 this act.

§ 8. Each company, before accepting any such appointment or deposit,
2 shall deposit with the Auditor of Public Accounts, for the benefit of the
3 creditors of said company, the sum of \$200,000 in stocks of the United States

4 or of this State, or in mortgages on improved real estate in this State being
5 first liens thereon, and the real estate being worth at least twice the amount
6 loaned thereon. The stocks and securities so deposited, may be exchanged
7 from time to time for other securities receivable as aforesaid. So long as
8 the company so depositing shall continue solvent, such company shall be
9 permitted by the said Auditor to collect the interest or dividends on said
10 deposits.

§ 9. When any part of such deposit is made in bonds and mortgages, it shall
2 be accompanied by full abstracts of titles and searches, and shall be examined
3 and approved by or under the direction of the Auditor. The fees for an examina-
4 tion of title by counsel, to be paid by the company making the deposit, shall not
5 exceed \$20 for each mortgage, and the fee for each appraiser not exceeding two,
6 besides expenses, shall be \$5 for each mortgage.

§ 10. It shall not be lawful for any such company to accept any trust or
2 deposit as hereinbefore provided, after the passage of this act, without first
3 procuring from the Auditor of Public Accounts, a certificate of authority stating
4 that such company has complied with the requirements of this act in respect to
5 such deposit.

§ 11. Such companies shall file with the said Auditor, during the month of
2 January of each year, a statement under oath, of the condition of such company
3 on the thirty-first day of December next preceding, exhibiting the following
4 items in the following form:

5 (a.) The assets of said company, specifying:

6 *First*—The description and market value, or as nearly as may be, of the real
7 estate owned by such company.

8 *Second*—The amount of cash on hand and deposited in banks to the credit of
9 said company, specifying in what banks such deposits are.

10 *Third*—the amount of cash in the hands of agents and in course of
11 transmission.

12 *Fourth*—The amount of loans secured by mortgages and bonds, constituting a
13 first lien on real estate, on which there shall be less than one year's interest due
14 or owing, and the amount of such interest.

15 *Fifth*—The amount of such loans on which there shall be more than one
16 year's interest due or owing, and the amount of such interest.

17 *Sixth*—The amount due the company on which judgments have been
18 obtained.

19 *Seventh*—The amount of stocks and bonds of this State, and of the United
20 States, of any incorporated city of this State, and of any other stocks and bonds
21 owned by such company, specifying the amount, number of shares, and the par
22 and market value of each kind of stock or bonds.

23 *Eighth*—The amount loaned upon the pledges of securities, with a statement
24 of the securities so held by such company, and the par and market value of
25 such securities.

26 *Ninth*—The amount of all other assets of such company, including accrued
27 interest not enumerated above.

28 (b.) The liabilities of such company, specifying:

29 *First*—The capital stock paid in.

30 *Second*—The surplus on hand.

31 *Third*—The undivided profits.

32 *Fourth*—The deposits held by such company.

33 (c.) A list and brief description of the trusts held by such company, the
34 source of the appointment thereto, and the amount of real and personal estate
35 held by such company by virtue thereof, except that mere mortgage trusts
36 wherein no action has been taken by such company, shall not be included in
37 such statement.

§ 12. Such report shall be verified by the affidavit of one of the managing
2 officers, and two of the directors or trustees of said company, who shall also
3 state in such affidavit that they have examined the assets and books of said
4 company for the purpose of making said report. Any false swearing in regard

1 or of this State, or in mortgages on improved real estate in this State being
 2 first liens thereon, and the real estate being worth at least twice the amount
 3 loaned thereon. The stocks and securities so deposited, may be exchanged
 4 from time to time for other securities receivable as aforesaid. So long as
 5 the company so depositing shall continue solvent, such company shall be
 6 permitted by the said Auditor to collect the interest or dividends on said
 7 deposits.

8 § 9. When any part of such deposit is made in bonds and mortgages, it shall
 9 be accompanied by full abstracts of titles and searches, and shall be examined
 10 and approved by or under the direction of the Auditor. The fees for an examina-
 11 tion of title by counsel, to be paid by the company making the deposit, shall not
 12 exceed \$20 for each mortgage, and the fee for each appraiser not exceeding two,
 13 besides expenses, shall be \$5 for each mortgage.

14 § 10. It shall not be lawful for any such company to accept any trust or
 15 deposit as hereinbefore provided, after the passage of this act, without first
 16 procuring from the Auditor of Public Accounts, a certificate of authority stating
 17 that such company has complied with the requirements of this act in respect to
 18 such deposit.

19 § 11. Such companies shall file with the said Auditor, during the month of
 20 January of each year, a statement under oath, of the condition of such company
 21 on the thirty first day of December next preceding, exhibiting the following
 22 items in the following form:

23 *a.* The assets of said company, specifying:

24 *First*—The description and market value, or as nearly as may be, of the real
 25 estate owned by such company.

26 *Second*—The amount of cash on hand and deposited in banks to the credit of
 27 said company, specifying in what banks such deposits are.

28 *Third*—the amount of cash in the hands of agents and in course of
 29 transmission.

12 *Fourth*—The amount of loans secured by mortgages and bonds, constituting a
13 first lien on real estate, on which there shall be less than one year's interest due
14 or owing, and the amount of such interest.

15 *Fifth*—The amount of such loans on which there shall be more than one
16 year's interest due or owing, and the amount of such interest.

17 *Sixth*—The amount due the company on which judgments have been
18 obtained.

19 *Seventh*—The amount of stocks and bonds of this State, and of the United
20 States, of any incorporated city of this State, and of any other stocks and bonds
21 owned by such company, specifying the amount, number of shares, and the par
22 and market value of each kind of stock or bonds.

23 *Eighth*—The amount loaned upon the pledges of securities, with a statement
24 of the securities so held by such company, and the par and market value of
25 such securities.

26 *Ninth*—The amount of all other assets of such company, including accrued
27 interest not enumerated above.

28 *b.* The liabilities of such company, specifying

29 *First*—The capital stock paid in.

30 *Second*—The surplus on hand.

31 *Third*—The undivided profits.

32 *Fourth*—The deposits held by such company.

33 *c.* A list and brief description of the trusts held by such company, the
34 source of the appointment thereto, and the amount of real and personal estate
35 held by such company by virtue thereof, except that mere mortgage trusts
36 wherein no action has been taken by such company, shall not be included in
37 such statement.

 § 12. Such report shall be verified by the affidavit of one of the managing
2 officers, and two of the directors or trustees of said company, who shall also
3 state in such affidavit that they have examined the assets and books of said
4 company for the purpose of making said report. Any false swearing in regard

5 to such report shall be deemed perjury, and shall be subject to the punish-
6 ments prescribed by law for such offense.

§ 13. The Auditor of Public Accounts is hereby authorized and empowered
2 to address any inquiries to any such company, or the officers thereof, in rela-
3 tion to its doings and condition, or any other matter connected with its
4 affairs, and it shall be the duty of any company or person so addressed, to
5 promptly reply in writing to such inquiries.

§ 14. It shall be the duty of said Auditor once in two years, either personally
2 or by one or more competent persons to be appointed by him, to visit and
3 examine every such corporation in this State. The Auditor shall also have
4 power, in like manner, to examine any such corporation, whenever, in his
5 judgment, it may be deemed necessary or expedient. The said Auditor and
6 every such examiner shall have power to administer an oath to any person whose
7 testimony may be required on any such examination, and to compel the
8 appearance and attendance of any such person for the purpose of examination,
9 by summons, subpoena or attachment, in the manner now authorized in respect
10 to the attendance of persons as witnesses in the courts of record in this State;
11 and all books and papers which may be deemed necessary to examine by the
12 Auditor or examiner so appointed shall be produced, and their production may be
13 compelled in like manner. The expense of every such special examination, if
14 any, shall be paid by the corporation examined, in such amount as the Auditor
15 shall certify to be just and reasonable; but whenever such special examination
16 shall be made by the Auditor in person, or by one or more of the regular clerks
17 in his department, no charge shall be made except for necessary traveling and
18 other actual expenses. The result of any such examination shall be certified by
19 the examiner, or one of them, upon the records of the corporation examined, and
20 the result of all the regular examinations during the preceding two years, shall
21 be embodied in the report of the Auditor required by this act to be submitted to
22 the Legislature.

§ 15. Whenever it shall appear to the said Auditor from any such examination
2 or report, that any such corporation has committed any violation of law, or is

3 conducting its business in an unsafe or unauthorized manner, he shall, by an order
4 under his hand and seal, direct the discontinuance of such illegal and unsafe or
5 unauthorized practices and strict conformity with the requirements of the law,
6 and with safety and security in its transactions, and whenever any such
7 corporation shall refuse or neglect to make any such report as is heretofore
8 required, or to comply with any such order as aforesaid, or whenever it shall
9 appear to the Auditor that it is unsafe or inexpedient for any such corporation to
10 continue to transact business, or that extraordinary withdrawals of money are
11 jeopardizing the interests of remaining depositors, or that any trustee or officer
12 has abused his trust or been guilty of misconduct, or malversation in his official
13 position, injurious to the institution, or that it has suffered a serious loss by fire,
14 burglary, repudiation or otherwise, he shall communicate the facts to the
15 Attorney General, and shall thereupon institute proceedings for the purpose of
16 winding up such corporation.

§ 16. If the Auditor shall at any time have satisfactory evidence that any
2 annual statement or other report required or authorized by this act, made or to
3 be made by any officer or officers of such corporation, is false, it shall be the
4 duty of the said Auditor to immediately revoke the certificate of authority
5 granted on behalf of such corporation, and mail a copy of such revocation to said
6 corporation and the clerk of every court of record in this State. Such revocation
7 shall not be set aside until satisfactory evidence shall be given to said Auditor,
8 that such corporation is in substance and in fact, in the condition set forth in
9 such statement or report, and that all the requirements of this act have been
10 complied with. Such revocation shall be sufficient cause for the removal of
11 such company from any appointment held by it under the provisions of this act.

§ 18. Any violation of any of the provisions of this act shall subject the party
2 violating the same to a penalty of \$500 for each offence, and the additional sum
3 of \$100 per day during which any such company shall fail to file its said report
4 after the last day of January in each year.

§ 19. The said Auditor shall cause a proper abstract of the statements of
2 assets and liabilities reported under section seven of this act, to be published

3 once in each week for three successive weeks, in two newspapers of genera
4 circulation, the one printed in the city of Springfield, and the other in the county
5 seat of the county wherein the principal office of the respective company is
6 located, such publication to be paid for by said company.

§ 20. There shall be paid by every company to whom this act shall apply, the
2 following fees: For filing the original application and receiving the deposit
3 required by section eight of this act, the sum of \$30; for filing the annual
4 statement required, \$10; for the certificate of authority, \$2; for every copy of a
5 paper filed in the Auditor's office, the sum of 20 cents per folio; for affixing
6 the seal of said office to said copy and certifying the same, \$1.

§ 21. Said Auditor shall embody in his biennial report to the legislature,
2 the condition of each of said corporations as shown by the reports provided
3 for in section eleven of this act.

§ 22. Any company which desires to retire from business under this act,
2 shall furnish to the Auditor satisfactory evidence of its release and discharge
3 from all the obligations and trusts hereinbefore provided for, whereupon he
4 shall revoke his certificate to such company, and return its securities.

§ 23. All laws and parts of laws in conflict with the provisions of this act
2 are hereby repealed.

AMENDMENTS REPORTED FROM COMMITTEE ON JUDICIAL DEPARTMENT MAY 26, 1887, TO HOUSE BILL No. 180.

Amend section 1 by inserting after the word "that" in line 3, the following
2 words: "Any corporation which has been or shall be incorporated under the
3 general incorporation laws of this State, being an act entitled 'An act con-
4 cerning corporations,' and all amendments thereof, for the purpose of accept-
5 ing and executing trusts, and;" also

6 By striking out the words "heretofore or be hereafter" in line three thereof,
7 and inserting in lieu thereof the words "now or hereafter;" also

8 By striking out in line four of said section 1, the words "any general or
9 special;" also

10 By striking out the word "guardian" in line 7 of said section.

11 Amend section 2 by striking out the words "guardian, conservator" in line
12 three thereof; also

13 By striking out the words "administrator" and "other" in line 4 thereof; also

14 By striking out the words "guardian, conservator" in line 7, and inserting
15 in lieu thereof the word "or;" also by striking out the words "or adminis-
16 trator" in line 8 thereof.

17 Amend section 5 by adding thereto the following words: "The amount of
18 money which any such corporation shall have on deposit at any time shall
19 not exceed ten times the amount of its paid up capital and surplus, and its
20 outstanding loans shall not at any time exceed said amount."

21 Amend section 7 by adding thereto the following words: "But such com-
22 pensation shall not exceed that allowed to natural persons for like services."

23 Amend section 8 by inserting after the word "improved" in line 6, the words
24 "and productive;" also

25 By inserting after the word "aforesaid" in line 12, the following: "Said
26 stocks of the United States or of this State to be registered in the name of
27 said Auditor, officially, and all said securities to be subject to sale and trans-
28 fer, and to the disposal of the proceeds by said Auditor only on the order of
29 a court of competent jurisdiction, and as hereinafter provided;" also

30 By striking out the word "by" in line 14, and inserting in lieu thereof the
31 words "to receive from;" also

32 By striking out the words "to collect" in said line 14.

33 Amend section 11 by adding thereto the following words: "The said report
34 shall also be in such form and contain such statements, returns and informa-
35 tion, as to the affairs, business condition, and resources of the corporation,
36 as the said Auditor of State may, from time to time, prescribe or require."

37 Amend section 13 by adding thereto the following words: "The Auditor
38 may also require reports from any such corporation at any time he may deem
39 desirable."

40 Amend section 14 by striking out in line 2 thereof, the words "once in two
41 years" and inserting in lieu thereof, the word "annually;" also

42 By striking out in line 22 of said section, the words "such special;" also

43 By adding after the word "expenses," in line 29, the following: "On every
44 examination, inquiry shall be made as to the condition and resources of the
45 corporation generally, the mode of conducting and managing its affairs, the
46 action of its directors or trustees, the investment of its funds, the safety and
47 prudence of its management, the security afforded to those by whom its
48 engagements are held, and whether the requirements of its charter and of
49 the laws have been complied with in the administration of its affairs;" also

50 By striking out the word "regular" in line 33 thereof; also

51 By adding to the said section, at the end thereof, the following words:
52 "Such report shall give the date to which such report refers, the amount of
53 capital returned by each of said corporations, the whole amount of its debts
54 and liabilities, the total sum of its resources, and such other information as
55 such Auditor may deem useful."

56 Amend section 15 by striking out the word "and" in line 25 thereof, and
57 inserting in lieu thereof the word "who;" also

58 By inserting in line 26 the word "such" after the word "institute;" also

59 By striking out all of said section after the word "proceedings" in line 26
60 and inserting in lieu thereof "against the corporation, as the nature of the
61 case may require."

62 Amend section 21 by striking out the same entirely, the same being super-
63 seded by amendment of section 14.

64 Amend said House Bill by renumbering the sections 22 and 23, "21 and
65 22," as required by the foregoing amendments.

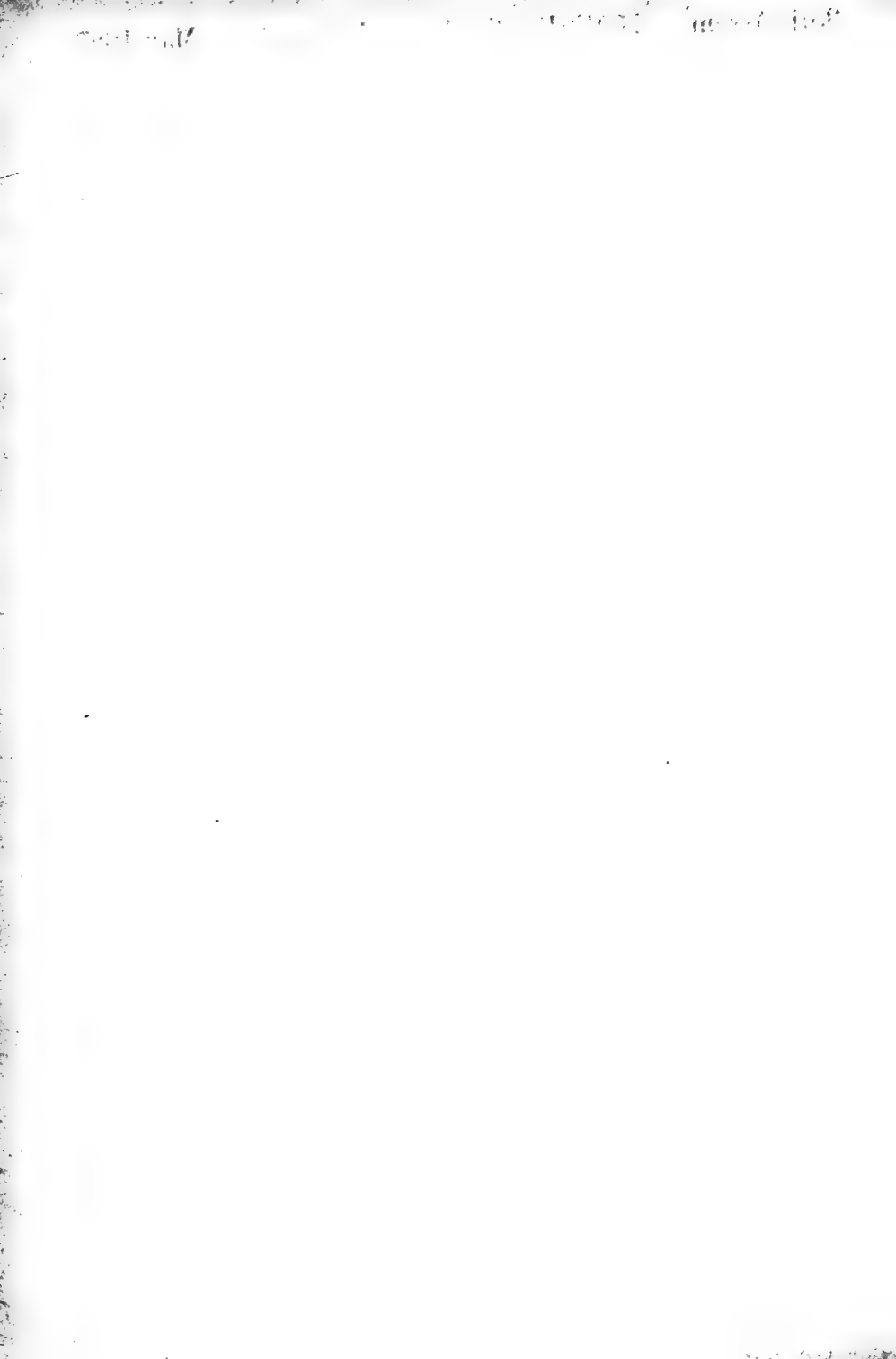


AMENDMENTS TO HOUSE BILL No. 189, ADOPTED BY THE SENATE

JUNE 2, 1887.

Amend by striking out section 3 of the bill, and renumbering the remaining
2 sections accordingly.

3 Amend by striking out section four, and renumbering the other sections
4 accordingly.



1. Introduced by Mr. Gerrity, February 2, 1887, and ordered to first reading.
 2. First reading February 2, 1887, and referred to Committee on Municipalities.
 3. Reported back March 15, with amendments. Passage recommended, and ordered to second reading.
-

A BILL

For An Act to create a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen, and the widows and minor children of deceased firemen; to authorize the retirement from service, and the pensioning of members of the fire department, and for other purposes connected therewith, in cities having a paid fire department.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in all cities in this State having a paid fire department, one-tenth per centum of all revenues collected or received by such cities from licenses issued by such cities, shall be set apart by the treasurer of such cities to whom the same shall be paid, as a fund for the pensioning of disabled and superannuated members of the fire departments, and of the widows and orphans of deceased members of the fire departments of such cities. The treasurers of such cities shall be ex officio the treasurers of such fund.

§ 2. The mayor of said city, the city clerk, city attorney, the marshal or chief officer of the fire department and his chief assistant shall constitute and be a board by the name of the Board of Trustees of the Firemen's Pension Fund. The said board shall select from their number a president and secretary.

§ 3. The said board shall have the exclusive control and management of the fund mentioned in the first section of this act, and of all money donated,

3 paid or assessed for the relief or pensioning of disabled or superannuated fire
 4 men, their widows or orphans, and shall assess each member of the fire depart-
 5 ment not to exceed the sum of one dollar per month, to be deducted and with-
 6 held from the monthly pay of each member so assessed, the same to be placed
 7 by the treasurer of such city, as ex-officio treasurer of such board, to the credit
 8 of such fund, subject to the orders of such board. The said board shall make
 9 all needful rules and regulations for its government in the discharge of its duties,
 10 and shall hear and decide all applications for relief or pensions under this act,
 11 and its decisions on such applications shall be final and conclusive, and not
 12 subject to review or reversal except by the board; *Provided*, that nothing
 13 herein contained shall render the payment of any sum of money or annuity
 14 which may be awarded by the board obligatory on the board or chargeable
 15 against it as a legal right. The board shall cause to be kept a record of all
 16 its meetings and proceedings.

§ 4. All rewards in moneys, fees, gifts and emoluments, that may be paid
 2 or given for or on account of extraordinary services by said fire department or
 3 any member thereof, (except when allowed to be retained by said member, or
 4 given to endow a medal or other permanent or competitive award, shall be
 5 paid into said pension fund. And the said board of trustees may take by gift,
 6 grant, devise or bequest, any money, real estate, personal property, right of
 7 property or other valuable thing, the annual income of which shall not exceed
 8 one hundred thousand dollars in the whole; and such money, real estate,
 9 personal property, right of property, or other valuable thing so obtained, shall
 10 in like manner, be paid into said pension fund and treated as a part thereof.
 11 *Provided*, that the sum of two hundred thousand dollars, which may be
 12 received and accumulated under the provisions of this act, aside from such
 13 gifts, grants, devises or bequests, shall be when so received and accumulated,
 14 retained as a permanent fund, the annual income of which may be made
 15 available for the uses and purposes of such pension fund.

§ 5. The said board of trustees shall have power to draw such pension
 2 fund from the treasury of such city, and may invest such fund or any part

3 thereof, in the name of the "Board of Trustees of the Firemen's Pension
 4 Fund," in interest bearing bonds of the United States, of the State of Ill-
 5 nois, of any county of this State, or of any township, or any municipal cor-
 6 poration of the State of Illinois. And all such securities shall be deposited
 7 with the city treasurer as ex-officio treasurer of said board.

§ 6. The interest received from any such investment of said fund, after
 2 said fund shall have reached the sum of two hundred thousand dollars shall
 3 be applicable to the payment of pensions under this act. And when such in-
 4 terest shall become so applicable, it shall be in the power of the city council
 5 to diminish such annual rate of one (1) per centum from licenses, so that
 6 said income from interest and from licenses shall meet the requirements of
 7 the pension lists as provided by this act.

§ 7. If any member of the fire department of any such city shall, while in
 2 the performance of his duty, become, and be found, upon an examination by
 3 a medical officer ordered by said board of trustees, to be physically or men-
 4 tally permanently disabled so as to render necessary his retirement from all
 5 service in said fire department, such board of trustees shall have the power
 6 to retire such permanently disabled member from all service in such fire
 7 department, and upon such retirement the said board of trustees may order
 8 the payment to such permanently disabled member, monthly, from said pen-
 9 sion fund, of a sum equal to one-half of the monthly compensation allowed
 10 such member as salary at the date of his retirement.

§ 8. If any member of such fire department shall, while in the perform-
 2 ance of his duty, be killed, or die from the effects of any injury thus received,
 3 or of any disease thus contracted; or if any member of such fire department
 4 shall after ten years *continuous* service therein, or while retired, die from
 5 any cause; and such member so killed or dying from said injuries or dis-
 6 ease, or after said term of *continuous* service or during retirement shall
 7 leave a widow, or minor child or children under sixteen years of age, said
 8 board of trustees may authorize and direct the payment from said pension
 9 fund of the following sums, monthly, to wit: to such widow while unmar-

10 and, thirty dollars, to the guardian of such minor child or children, six dol-
 11 lars for each of said children while under the age of sixteen years, provided,
 12 that there shall not be paid into the family of any deceased member more
 13 than one half of the amount of the monthly salary of such deceased mem-
 14 ber at the time of his decease, or, if retired, at the time of his retirement,
 15 and provided further, that if at any time there shall not be sufficient money
 16 to the credit of said pension fund to pay to each person entitled to the ben-
 17 efit thereof the full amount per month as heretofore stated, then and in
 18 that event an equal percentage of said monthly payment shall be made to
 19 each beneficiary thereof, until said fund shall be so replenished as to warrant
 20 the renewal of payments in full to each of said beneficiaries.

§ 9. The widows and orphans of deceased firemen and retired members of
 2 the fire department, who are now entitled to pension or annuity under the
 3 provisions of an act entitled "An act for the relief of disabled members of
 4 the police and fire departments in cities and villages," approved May 24,
 5 1877, as amended, shall be entitled to the benefits, pensions, and annuities
 6 provided for by this act: *Provided*, such persons shall thereupon cease to
 7 receive pensions, relief or benefits under said act of May 24, 1877.

§ 10. Any member of the fire department of any such city, after having
 2 served twenty five years of consecutive service in such fire department and
 3 having arrived at the age of fifty years, may make application to said Board
 4 of Trustees to be retired from active service in said fire department, and it
 5 shall be the duty of said board of trustees, upon an examination and recom-
 6 mendation of a medical officer appointed by said board, and then finding that
 7 such member is disqualified, physically or mentally, for further active service,
 8 to order said member to be retired, and upon such retirement, said board of
 9 trustees may authorize the payment to such retired member, monthly, from
 10 said pension fund, of a sum equal to one half of the monthly compensation
 11 allowed such member as salary at the date of his retirement, or such less
 12 sum in proportion to the number of officers or members so retired as the
 13 condition of said fund will warrant. And said board shall have the power to

14 assign such applicants for retirement to the performance of light duty upon
 15 full pay, in lieu of such retirement upon half pay. And after the death of
 16 such member, his widow and children under sixteen years of age, if any sur-
 17 viving him, shall be entitled to the pensions provided in this act.

§ 11. This act shall apply to all persons who are now, or shall hereafter
 2 become, members of such fire departments, and all such persons shall be
 3 eligible to the benefits secured by this act.

§ 12. The treasurer of the board shall be the custodian of said pension
 2 fund, and shall secure and safely keep the same, subject to the control and
 3 direction of the Board; and shall keep his books and accounts concerning
 4 said fund in such manner as may be prescribed by the board; and the
 5 said books and accounts shall always be subject to the inspection of
 6 the board or any member thereof. The treasurer shall, within ten days after his
 7 election or appointment, execute a bond to the city, with good and sufficient
 8 securities, in such penal sum as the board shall direct, to be approved by
 9 the board, conditioned for the faithful performance of the duties of his office,
 10 and that he will safely keep, and well and truly account for all moneys
 11 and property which may come into his hands as such treasurer, and that on
 12 the expiration of his term of office he will surrender and deliver over to his
 13 successor all unexpended moneys and all property which may have come to
 14 his hands as treasurer of such fund. Such bond shall be filed in the office
 15 of the clerk of such city, and in case of a breach of the same, or the condi-
 16 tions thereof, suit may be brought on the same in the name of such city
 17 for the use of said board, or of any person or persons injured by such breach.

§ 13. It shall be the duty of the mayor and clerk, or the comptroller, if
 2 there be one, and the officer or officers of such city who are or may be
 3 authorized by law to draw warrants upon the treasurer of such city, upon re-
 4 quest made in writing by said board, to draw warrants upon the treasurer of
 5 such city, payable to the treasurer of said board, for all funds in the hands
 6 of such city treasurer belonging to said pension fund.

§ 14. All moneys ordered to be paid from said pension fund to any person or
 2 persons shall be paid by the treasurer of said board only upon warrants
 3 signed by the president of the board and countersigned by the secretary
 4 thereof, and no warrant shall be drawn except by order of the board duly
 5 entered in the records of the proceedings of the board. In case the said
 6 pension fund or any part thereof shall by order of said board or otherwise
 7 be deposited in any bank, or loaned, all interest or money which may be
 8 paid or agreed to be paid on account of any such loan or deposit, shall be
 9 long to and constitute a part of said fund. *Provided*, that nothing herein
 10 contained shall be construed as authorizing said treasurer to loan or deposit
 11 said fund or any part thereof, unless so authorized by the board.

§ 15. The board of trustees shall make report to the city council of the
 2 conditions of said pension fund on the first day of January in each and every
 3 year.

§ 16. No portion of said pension fund shall, either before or after its order
 2 of distribution by said board to such disabled members of said fire depart-
 3 ment, or to the widow or guardian of such minor child or children of a de-
 4 ceased or retired member of such department, be held, seized, taken, sub-
 5 jected to or detained or levied on by virtue of any attachment, execution, in-
 6 junction, writ, interlocutory or other order or decree, or any process or pro-
 7 ceeding whatever issued out of or by any court of this State for the pay-
 8 ment or satisfaction in whole or in part of any debt, damages, claim, demand
 9 or judgment against such member, or his said widow, or the guardian of
 10 said minor child or children of any deceased member, but the said fund shall
 11 be sacredly held, kept, secured and distributed for the purpose of pensioning
 12 the persons named in this act, and for no other purpose whatever.

§ 19. All acts or parts of acts inconsistent with this act are hereby re-
 2 pealed.

AMENDMENTS TO SENATE BILL NO. 192.

Amend section 2 by striking out the word "mayor", in the first line thereof,

2 and inserting in place thereof the words "city treasurer." Also, by striking

3 out in the third line thereof, the words "his chief assistant", and inserting in

4 place thereof, the words "the comptroller of said city."

5 Amend section 3 by striking out the following words in the fifth and sixth

6 lines thereof: "the sum of one dollar per month," and inserting in place thereof,

7 the following words: "one per centum of the salary of such member. *Provided,*

8 said one per centum shall not exceed twenty dollars per annum." Also, by

9 striking out after the word city in the ninth line thereof, the word "as", and

10 inserting in place thereof, the following words: "who shall be."

11 Amend section 7 by inserting after the word "department", in the seventh

12 line thereof, the following: "*Provided,* no such retirement on account of

13 disability shall occur unless said member has contracted said disability while

14 in the service of said department, or unless he shall have at the time of said

15 retirement on account of such disability, have served for ten years continuously."

16 Also by inserting the following after the word "retirement" in the last line

17 thereof: "*Provided,* that no pension paid under this act shall exceed the sum

18 of one thousand dollars per annum."

19 Amend section 8, by striking out after the word "therein", in the fifth line

20 of said section the words "or while retired", and by inserting after the word

21 "cause," in the sixth line of said section the words "contracted in the service."

22 Also in the same section, after the word "retirement," in the eighth line thereof,

23 insert the following words: "as heretofore provided." Also by inserting after

24 the word "retirement," in the eighteenth line of said section the following

25 words: "*Provided,* the total payments to any one family shall not exceed an

26 amount equal to one half of the amount attached to the rank the deceased

27 member held, and in no case shall exceed the amount of one thousand dollars

28 per annum."

29 Amend section 10 by inserting after the word "retirement," in the fourteenth

30 line thereof the following words: "*Provided,* no such payment shall exceed the

31 sum of one thousand dollars per annum." Also by inserting after the word
32 "act," in the last line thereof, the following "but nothing in this or any
33 other section of this act shall warrant the payment of any annuity to any
34 widow of a deceased member of said department, after she shall have remarried.

1. Introduced by Mr. Garrity, February 2, 1887, and ordered to first reading.
 2. First reading February 2, 1887, and referred to Committee on Municipalities.
 3. Reported back March 15, with amendments. Passage recommended, and ordered to second reading.
 4. Second reading March 24, 1887, amended and ordered to third reading.
-

A BILL

For An Act to create a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen, and the widows and minor children of deceased firemen; to authorize the retirement from service and the pensioning of members of the fire department, and for other purposes connected therewith, in cities, villages or incorporated towns having a paid fire department.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in all cities, villages or incorporated towns
3 whose population exceeds fifty thousand, having a paid fire department, one
4 (1) per centum of all revenues collected or received by such cities, villages
5 or incorporated towns from licenses issued by such cities, villages or incor-
6 porated towns shall be set apart by the treasurer of such cities, villages or
7 incorporated towns to whom the same shall be paid, as a fund for the
8 pensioning of disabled and superannuated members of the fire departments,
9 and of the widows and orphans of deceased members of the fire depart-
10 ments of such cities, villages, or incorporated towns. The treasurers of such
11 cities, villages or incorporated towns shall be ex-officio treasurers of such
12 fund.

§ 2. The treasurer, clerk, attorney, marshal or chief officer of the fire department, and the comptroller of such city, village or incorporated town, shall constitute and be a board by the name of the "Board of Trustees of the Firemen's Pension Fund." The said board shall select from [their number a president and secretary: *Provided*, that in villages and incorporated towns the "Board of Trustees of the Firemen's Pension Fund" shall consist of the president of the board of trustees, the town or village clerk, the town or village attorney, and the chief officer of the fire department.

§ 3. The said board shall have the exclusive control and management of the fund mentioned in the first section of this act, and of all money donated, paid or assessed for the relief or pensioning of disabled or superannuated firemen, their widows or orphans, and shall assess each member of the fire department not to exceed one per centum of the salary of such member: *Provided*, said one per centum shall not exceed twenty dollars per annum, to be deducted and withheld from the monthly pay of each member so assessed, the same to be placed by the treasurer of such city, village or incorporated town, who shall be ex-officio treasurer of such board, to the credit of such fund, subject to the orders of such board. The said board shall make all needful rules and regulations for its government in the discharge of its duties, and shall hear and decide all applications for relief or pensions under this act, and its decisions on such applications shall be final and conclusive, and not subject to review or reversal except by the board; *Provided*, that nothing herein contained shall render the payment of any sum of money or annuity which may be awarded by the board obligatory on the board or chargeable against it as a legal right. The board shall cause to be kept a record of all its meetings and proceedings.

§ 4. All rewards in moneys, fees, gifts and emoluments, that may be paid or given for or on account of extraordinary services by said fire department or any member thereof, (except when allowed to be retained by said member, or given to endow a medal or other permanent or competi-

5 five awards, shall be paid into said pension fund. And the said board of
 6 trustees may take by gift, grant, devise or bequest, any money, real estate,
 7 personal property, right of property or other valuable thing, the annual
 8 income of which shall not exceed one hundred thousand dollars in the
 9 whole; and such money, real estate, personal property, right of property,
 10 or other valuable thing so obtained, shall, in like manner, be paid into
 11 said pension fund and treated as part thereof: *Provided*, that the sum of
 12 two hundred thousand dollars, which may be received and accumulated
 13 under the provisions of this act, (aside from such gifts, grants, devises or
 14 bequests,) shall be when so received and accumulated, retained as a per-
 15 manent fund, the annual income of which may be made available for the
 16 uses and purposes of such pension fund.

§ 5. The said board of trustees shall have power to draw such pension
 2 fund from the treasury of such city, village or incorporated town, and
 3 may invest such fund or any part thereof, in the name of the "Board of
 4 Trustees of the Firemen's Pension Fund," in interest-bearing bonds of the
 5 United States, of the State of Illinois, of any county of this State, or of
 6 any township, or any municipal corporation of the State of Illinois. And
 7 all such securities shall be deposited with the treasurer of said city, village or
 8 incorporated town as ex-officio treasurer of said board and shall be subject to
 9 the order of said board.

§ 6. The interest received from any such investment of said fund, after
 2 said fund shall have reached the sum of two hundred thousand dollars, shall
 3 be applicable to the payment of pensions under this act. And when such in-
 4 terest shall become so applicable, it shall be in the power of the council of
 5 said city, village or incorporated town to diminish such annual rate of one
 6 (1) per centum from licenses, so that said income from interest and from
 7 licenses shall meet the requirements of the pension lists as provided by this
 8 act.

§ 7. If any member of the fire department of any such city, village or in-
 2 corporated town shall, while in the performance of his duty, become, and be
 3 found upon an examination by a medical officer ordered by said board of

4 trustees, to be physically or mentally permanently disabled so as to render
 5 necessary his retirement from all service in said fire department, such board
 6 of trustees shall have the power to retire such permanently disabled member
 7 from all service in such fire department: *Provided*, no such retirement on
 8 account of disability shall occur unless said member has contracted said dis-
 9 ability while in the service of said department, or unless he shall have at the
 10 time of said retirement on account of such disability, have served for ten
 11 years continuously, and upon such retirement the said board of trustees may
 12 order the payment of such permanently disabled member, monthly, from said
 13 pension fund, of a sum equal to one-half of the monthly compensation allowed
 14 such member as salary at the date of his retirement. *Provided*, that no pension
 15 paid under this act shall exceed the sum of one thousand dollars per annum.

§ 8. If any member of such fire department shall, while in the perform-
 2 ance of his duty, be killed, or die from the effects of an injury thus received,
 3 or of any disease thus contracted; or if any member of such fire department
 4 shall after ten years *continuous* service therein, die from any cause contracted
 5 in the service, and such member so killed or dying from said injuries or dis-
 6 ease, or after said term of *continuous* service or during retirement as hereto
 7 provided shall leave a widow, or minor child or children under sixteen years
 8 of age, said board of trustees may authorize and direct the payment from
 9 said pension fund of the following sums, monthly, to-wit: to such widow
 10 while unmarried, thirty dollars; to the guardian of such minor child or chil-
 11 dren, six dollars for each of said children while under the age of sixteen
 12 years; provided, that there shall not be paid into the family of any deceased
 13 member more than one-half of the amount of the monthly salary of such
 14 deceased member at the time of his decease, or if retired, at the time of
 15 his retirement: *Provided*, the total payments to any one family shall not
 16 exceed an amount equal to one-half of the amount attached to the rank
 17 the deceased member held; and in no case shall exceed the amount of
 18 one thousand dollars per annum. *And, provided further*, that if at any
 19 time there shall not be sufficient money to the credit of said pension fund
 20 to pay to each person entitled to the benefit thereof the full amount per

21 month as hereinbefore stated, then and in that event an equal percentage
 22 of said monthly payment shall be made to each beneficiary thereof, until
 23 said fund shall be so replenished as to warrant the renewal of payments
 24 in full to each of said beneficiaries.

§ 9. The widows and orphans of deceased firemen and retired members of
 2 the fire department, who are now entitled to pension or annuity under the
 3 provisions of an act entitled "An act for the relief of disabled members of
 4 the police and fire departments in cities and villages," approved May 24,
 5 1877, as amended, shall be entitled to the benefits, pensions, and annuities
 6 provided for by this act: *Provided*, such person shall thereupon cease to
 9 receive pensions, relief or benefits under said act of May 24, 1877.

§ 10. Any member of the fire department of any such city, village or incor-
 2 porated town, after having served twenty-five years of consecutive service in
 3 such fire department, and having arrived at the age of fifty years, may make
 4 application to said Board of Trustees to be retired from active service in said
 5 fire department; and it shall be the duty of said board of trustees, upon an
 6 examination and recommendation of a medical officer appointed by said board,
 7 and their finding that such member is disqualified, physically or mentally, for
 8 further active service, to order said member to be retired; and upon such
 9 retirement, said board of trustees may authorize the payment to such retired
 10 member, monthly, from said pension fund, of a sum equal to one half of the
 11 monthly compensation allowed such member as salary at the date of his retire-
 12 ment: *Provided*, no such payment shall exceed the sum of one thousand dol-
 13 lars per annum; or such less sum in proportion to the number of members so
 14 retired as the condition of said fund will warrant. And said board shall have
 15 the power to assign such applicants for retirement to the performance of light
 16 duty upon full pay, in lieu of such retirement upon half pay. And after the
 17 death of such member, his widow and children under sixteen years of age, if
 18 any surviving him, shall be entitled to the pensions provided in this act. But
 19 nothing in this or any other section of this act shall warrant the payment of
 20 any annuity to any widow of a deceased member of said department, after she
 21 shall have remarried.

§ 11. This act shall apply to all persons who are now, or shall hereafter become, members of such fire departments, and all such persons shall be eligible to the benefits secured by this act.

§ 12. The treasurer of the board shall be the custodian of said pension fund, and shall secure and safely keep the same, subject to the control and direction of the board; and shall keep his books and accounts concerning said fund in such manner as may be prescribed by the board; and the said books and accounts shall always be subject to the inspection of the board or any member thereof. The treasurer shall, within ten days after his election or appointment, execute a bond to the city, village or incorporated town with good and sufficient securities, in such penal sum as the board shall direct, to be approved by the board, conditioned for the faithful performance of the duties of his office, and that he will safely keep, and well and truly account for all moneys and property which may come into his hands as such treasurer; and that on the expiration of his term of office he will surrender and deliver over to his successor all unexpended moneys and all property which may have come to his hands as treasurer of such fund. Such bond shall be filed in the office of the clerk of such city, village or incorporated town, and in case of a breach of the same, or the conditions thereof, suit may be brought on the same in the name of such city, village or incorporated town for the use of said board, or of any person or persons injured by such breach.

§ 13. It shall be the duty of the mayor, or the president of the board of trustees and clerk, or the comptroller, if there be one, and the officer or officers of such city, village or incorporated town who are or may be authorized by law to draw warrants upon the treasurer of such city, village or incorporated town, upon request made in writing by said board, to draw warrants upon the treasurer of such city, village or incorporated town, payable to the treasurer of said board, for all funds in the hands of the treasurer of such city, village or incorporated town belonging to said pension fund.

§ 14. All moneys ordered to be paid from said pension fund to any person or persons shall be paid by the treasurer of said board only upon

3 warrants signed by the president of the board and countersigned by the
 4 secretary thereof; and no warrant shall be drawn except by order of the
 5 board duly entered in the records of the proceedings of the board. In
 6 case the said pension fund or any part thereof shall by order of said board
 7 or otherwise, be deposited in any bank, or loaned, all interest or money
 8 which may be paid or agreed to be paid on account of any such loan or
 9 deposit, shall belong to and constitute a part of said fund: *Provided, that*
 10 nothing herein contained shall be construed as authorizing said treasurer to
 11 loan or deposit said fund or any part thereof, unless so authorized by the
 12 board.

§ 15. The board of trustees shall make report to the council of said city,
 2 village or incorporated town of the conditions of said pension fund on the
 3 first day of January in each and every year.

§ 16. No portion of said pension fund shall, either before or after its
 2 order of distribution by said board to such disabled members of said fire
 3 department, or to the widow or guardian of such minor child or children,
 4 or a deceased or retired member of such department, be held, seized, taken,
 5 subjected to, or detained or levied on by virtue of any attachment, execu-
 6 tion, injunction, writ, interlocutory or other order or decree, or any process
 7 or proceeding whatever issued out of or by any court of this State for
 8 the payment or satisfaction in whole or in part of any debt, damages,
 9 claim, demand or judgment against such member, or his said widow, or
 10 the guardian of said minor child or children of any deceased member; but
 11 the said fund shall be sacredly held, kept, secured and distributed for the
 12 purpose of pensioning the persons named in this act, and for no other
 13 purpose whatever.

§ 19. All acts or parts of acts inconsistent with this act are hereby
 2 repealed.

1. Introduced by Mr. Bacon, of Edgar, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on Military.
3. Reported back, March 8, 1887, passage recommended, and ordered referred to Committee on Appropriations.
4. Reported back April 22, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to provide for the ordinary and contingent expenses of the Illinois National Guard.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following named sums be, and the same
3 are hereby appropriated to meet the ordinary and contingent expenses of the
4 Illinois National Guard from July 1, 1887, until the expiration of the first
5 fiscal quarter after the adjournment of the next regular session of the General
6 Assembly.

7 For the expenses of the Illinois National Guard, one hundred and thirty-five
8 thousand dollars per annum (\$135,000.)

9 For fencing, improvement, repair and extension of the State camp grounds,
10 five thousand dollars per annum (\$5,000.)

11 For the repairs of the State Arsenal unless the General Assembly should
12 consider it in the interest of economy to sell the arsenal and grounds and
13 erect a new one five thousand dollars (\$5,000.)

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the treasurer for the sums herein specified, upon the
3 presentation of proper vouchers, certified to by the Adjutant General and
4 and approved by the Governor, and the treasurer shall pay the same out of
5 the proper funds.

1. Received from House, May 11, 1887, and ordered to first reading.
 2. First reading, May 11, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend an act entitled "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section one (1) of an act entitled "An act in
3 regard to roads and bridges in counties under township organization, and to
4 repeal an act and parts of acts therein named," be amended so as to read
5 as follows:

6 SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
7 *in the General Assembly,* That all roads in this State which have been laid
8 out in pursuance of any law of this State, or of the territory of Illinois, or
9 which have been established by dedication or used by the public as a highway
10 for fifteen (15) years, and which have not been vacated in pursuance of law,
11 are hereby declared to be public highways."



AMENDMENTS OFFERED BY MR. BELL TO SENATE BILL 194.

Amend bill as follows:

2 Strike out all in the title after the word "the" and insert the following:
3 "Charges permitted for the use of telephones, to prescribe the duties of those
4 operating telephones, and to prescribe penalties."

5 Strike out of bill all after the word "that" in line two of printed bill,
6 and insert the following: "No individual, company or corporation, now or
7 hereafter owning, controlling, or operating any telephone line or telephone
8 exchange in this State, or furnishing any telephone service in this State,
9 shall maintain or operate the same, or receive for the use of such telephone
10 service, any sum or sums of money except as provided in this act."

11 "Section 2. Every individual, company or corporation owning, controlling
12 or operating any telephone line or telephone exchange, or furnishing any
13 telephone service in this State, shall be allowed to charge and collect for
14 such service, an annual rental not to exceed three dollars per month for
15 each telephone furnished within a radius of one mile from the central office,
16 and not to exceed twenty-five cents per month for each additional mile
17 such telephone may be located from such central office in the same exchange.

18 "Section 3. Every individual, company or corporation, owning, controlling,
19 or operating any telephone line or telephone exchange in this State, in lieu
20 of charging an annual rental as provided in section two of this act, may
21 charge, and collect from, every subscriber using a telephone, a fixed sum not
22 to exceed twelve dollars per annum, in advance, when such telephone shall be
23 within a radius of one mile from the central office, and not to exceed the sum of
24 one dollar for each additional mile from such central office in the same exchange,
25 the first year's charge to be paid when such telephone shall be in position,
26 and ready for use in the subscriber's office, residence or place of business, as
27 the case may be. In addition to such fixed charge, such individual, company,
28 or corporation, may charge, and collect from, every subscriber who shall use
29 his telephone in connection with the telephone of any other subscriber of the
30 same exchange, to be paid at the end of each and every month only by the

31 subscriber calling for and procuring the connection with such other telephone,
32 the following rates of toll, namely: For each connection in any one month,
33 up to and including thirty in number, five cents; for each connection above
34 thirty and up to and including one hundred in number in any one month,
35 two cents; and for each connection above one hundred in any one month, one
36 cent; but in no case shall the charge in any one month exceed six dollars
37 for one telephone within a radius of one mile, and twenty-five cents per mile
38 more for each additional mile from the central office.

39 "Section 4. Every individual, company, or corporation, owning, controlling,
40 or operating any telephone line or telephone exchange, or furnishing telephone
41 service in this State, must, within thirty days after this act shall go into
42 effect, file with the Secretary of State a certificate, in which he, they or it
43 elect whether he, they or it shall charge for telephone service in this State
44 according to the method provided for in section two, or the method provided
45 for in section three of this act, and whichever method shall be selected, must
46 be preserved with all the subscribers in the State while such method is pur-
47 sued. The method adopted in said certificate shall not be changed for the
48 other method until such individual, company or corporation shall file with the
49 Secretary of State another certificate indicating such change, and give each
50 subscriber in the State ninety days' notice of such change. The Secretary of
51 State shall charge a fee of one dollar for the filing of each certificate filed
52 according to this section. Where the subscriber of a telephone is a firm,
53 company or corporation, the charges in either method shall be the same as
54 where the subscriber is a single individual.

55 "Section 5. Where any two cities, towns or villages are connected by
56 wire owned or operated by any individual, company, or corporation, and
57 furnishing telephone services between such two cities, towns or villages.
58 the price for the use of any telephone for the purpose of conversation
59 between such cities, towns or villages shall not exceed fifteen cents for
60 the first five minutes, and for each additional five minutes no sum exceeding
61 five cents shall be charged.

62 "Section 6. Every individual, company or corporation furnishing telephone ser-
63 vice, as provided for in section three of this act, shall, before charging or collect-
64 ing any money whatever from any subscriber or user of a telephone in
95 this State, provide, without any expense or charge to such subscriber or
66 user, a suitable device or meter, which shall correctly and accurately reg-
67 ister and plainly indicate to the subscriber or user of such telephone the
68 the number of each connection made for such subscriber or user, and the
69 number of connections to be charged to and paid for by any such sub-
70 scribe or user for each month shall be the number shown by such
71 device to have been by him procured during such month.

72 "Section 7. Any individual, company or corporation owning, controlling
73 or operating any telephone line or telephone exchange in this State may
74 establish and maintain telephone stations for the use of the general public
75 not to exceed one in any block or square in any city, village or town. A
76 toll-rate of not to exceed five cents for each conversation of five minutes held
77 between a patron of such station and a person using some other telephone
78 in the same exchange may be charged and collected.

79 "Section 8. Whenever any individual, company or corporation owning, con-
80 trolling or operating any telephone line or telephone exchange in this State
81 shall permit their wires or instruments or other apparti to become
82 impaired in such manner as to prevent conversation between two instru-
83 ments when connection between them is made, and notice of such fact
84 shall be given to the central office, if the exchange shall be operating
85 under section two, the annual rent shall cease until necessary reparation
86 shall be made; and, if operating under section three, no toll-rate shall be
87 charged for any connections where conversations could not be obtained on
88 account of such impairment of wire or instrument.

89 "Section 9. Any individual, company or corporation, or operator or
90 agent thereof, who shall charge, collect or receive for the use of any tele-
91 phone from any person any sum in excess of the rates fixed by this act,
92 or shall charge, collect or receive money from any person for telephone
93 service, under any different method than those provided for in this act

94 shall be deemed guilty of extortion, and upon conviction thereof shall be
95 fined not less than fifty dollars, nor more than one hundred dollars
96 for each offence, to be collected in an action of debt, in the name of
97 the people of the State of Illinois, before any court of competent jurisdiction;
98 all fines collected under this act to be paid into the school fund of the county
99 wherein the offense is committed."

1. Introduced by Mr. Bacon, of Edgar, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on Judiciary.
3. Reported back March 25, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 28, 1887, and made special order for May 3, 1887.
5. May 3, 1887, consideration postponed to May 10, 1887.
6. May 10, 1887, amended, and ordered to third reading.

A BILL

For An Act to regulate the charges permitted for the use of telephones, to prescribe the duties of those operating telephones and to prescribe penalties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That no individual, company or corporation now
3 or hereafter owning, controlling or operating any telephone line or tele-
4 phone exchange in this State, or furnishing any telephone service in this
5 State shall maintain or operate the same or receive for the use of such
6 telephone service any sum or sums of money, except as provided in this
7 act.

§ 2. Every individual, company or corporation, owning, controlling or
2 operating any telephone line or telephone exchange, or furnishing any tele-
3 phone service in this State, shall be allowed to charge and collect for
4 such service an annual rental, not to exceed three dollars per month for
5 each telephone furnished within a radius of one mile from the central
6 office, and not to exceed twenty-five cents per month for each additional
7 mile such telephone may be located from such central office in the same
8 exchange.

§ 3. Every individual, company or corporation, owning, controlling or operat-
2 ing any telephone line or telephone exchange in this State, in lieu of charging an

3 annual rental, as provided in section two of this act, may charge and collect
4 from every subscriber using a telephone a fixed sum, not to exceed twelve
5 dollars per annum, in advance, when such telephone shall be within a radius
6 of one mile from the central office, and not to exceed the sum of one dollar
7 for each additional mile from such central office in the same exchange, the
8 first years' charge to be paid when such telephone shall be in position and
9 ready for use, in the subscriber's office, residence or place of business, as the
10 case may be. In addition to such fixed charge, such individual, company or
11 corporation may charge and collect from every subscriber who shall use his
12 telephone in connection with the telephone of another subscriber, at the same
13 exchange, to be paid at the end of each and every month only, by the sub-
14 scriber calling for and procuring the connection with such other telephone
15 the following rates of toll, namely: For each connection in every one month,
16 up to and including twenty-five in number, five cents; for each connection
17 above thirty, and up to and including one hundred in number, in any one
18 month, two cents; and for each connection above one hundred in any one
19 month, one cent; but in no case shall the charge in any one month exceed
20 six dollars for one telephone.

§ 4. Every individual, company or corporation owning, controlling or
2 operating any telephone line or telephone exchange, or furnishing telephone
3 service in this State, must, within thirty days after this act shall go into
4 effect file with the Secretary of State a certificate in which he, they or
5 it elect whether he, they or it shall charge for telephone service in this
6 State according to the method provided for in section two, or the method
7 provided for in section three of this act, and whichever method shall be
8 selected must be preserved with all the subscribers in the State while
9 such method is pursued. The method adopted in such certificate
10 shall not be changed for the other method until such individual, company
11 or corporation shall file with the Secretary of State another certificate
12 indicating such change, and give each subscriber in the State ninety days'
13 notice of such change. The Secretary of State shall charge a fee of

14 one dollar for the filing of each certificate filed according to this section.
15 Where the subscriber is a firm, company or corporation, the charges in
16 either method shall be the same as where the subscriber is a single
17 individual.

§ 5. Whenever any two cities, towns, or villages are connected by wire
2 owned or operated by any individual, company or corporation, and furnishing
3 telephone services between such two cities, towns or villages, the price for
4 the use of any telephone for the purpose of conversation between such cities,
5 towns or villages shall not exceed fifteen cents for the first five minutes,
6 and for each additional five minutes during the same connection no sum
7 exceeding five cents shall be charged.

§ 6. Every individual, company or corporation, furnishing telephone service,
2 as provided for in section three of this act, shall, before charging or collecting
3 any money whatever from any subscriber or user of a telephone in this State,
4 provide, without any expense or charge to such subscriber or user, a suit-
5 able device or meter, which shall correctly and accurately register, and
6 plainly indicate, to the subscriber or user of such telephone the number of
7 each connection made for such subscriber or user, and the number of con-
8 nections to be charged to, and paid for, by any such subscriber or user
9 for each month shall be the number shown by such device to have been by
10 him procured during such month, but in no case shall the charge exceed six
11 dollars in any one month.

§ 7. Any individual, company or corporation, owning, controlling or oper-
2 ating any telephone line or telephone exchange in this State, may establish
3 and maintain telephone stations for the use of the general public, not to
4 exceed one in every block or square in any city, village or town. A toll rate
5 not to exceed five cents for each conversation of five minutes, held between a
6 patron of such station and any person using some other telephone in the
7 same exchange, may be charged and collected.

§ 8. Whenever any individual, company or corporation, owning, controlling
2 or operating any telephone line or telephone exchange in this State, shall

3 permit their wires or instruments or other apparatus to become impaired
4 in such manner as to prevent conversation between two instruments, when
5 connection between them is made, and notice of such fact shall be given
6 to the central office, if the exchange shall be operating under section two,
7 the annual rent shall cease until necessary reparation shall be made; and,
8 if operating under section three, no toll rate shall be charged for any
9 connection where conversation could not be obtained on account of im-
10 pairment of wires or instruments.

§ 9. Any individual, company or corporation, or operator or agent
2 thereof, who shall charge, collect or receive for the use of any telephone,
3 from any person any sum in excess of the rates fixed by this act,
4 or shall charge, collect or receive money from any person for telephone
5 service under any different method than those provided for in this act,
6 shall be deemed guilty of extortion, and upon conviction thereof shall be
7 fined not less than fifty dollars, nor more than one hundred dollars for
8 each offense, to be collected in an action of debt in the name of The People
9 of the State of Illinois, before any court of competent jurisdiction. All
10 fines collected under this act to be paid into the school fund of the
11 county wherein the offense was committed.

1. Introduced by Mr. Elkhart, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back March 4, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to punish false pretences in obtaining registration of cattle and other animals, and to punish giving false pedigrees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every person who by any false pretence shall obtain from any club, association, society, or company for improving the breed of cattle, horses, sheep, swine or other domestic animals, the registration of any animal in the herd register or other register of any such club, association, society, or company, or a transfer of any such registration, and every person who shall knowingly give a false pedigree of any animal, upon conviction thereof shall be punished by imprisonment in a State prison for a term not exceeding three years or in a county jail for a term not exceeding one year, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment.

§ 2. This act shall take effect immediately.

Your petitioners, residents or citizens of the State of Illinois, respectfully present the following facts:

First—The propagation and rearing of thoroughbred and blooded stock of various kinds has become a large and constantly growing interest within

5 this commonwealth. For the better protection of breeders, sellers, and
 6 buyers, registry books have been established by various associations, so as
 7 to ensure the accurate description of the animals reared and dealt in, and
 8 to ensure buyers against fraudulent descriptions of animals bought by
 9 them.

10 *Second*—The absolute accuracy of the registers of thoroughbred animals
 11 is essential to the intelligent propagation and rearing of the various breeds
 12 of improved animals. Without absolute knowledge of the strains of blood
 13 in an animal, the breeder is working in the dark. With such knowledge
 14 marvellous improvements, tending to the general good of the community,
 15 have already been attained, and great benefits may be expected in the
 16 future. It is therefore important that absolute accuracy should, as far as
 17 practicable, be had in all registers, and in the bases of registry—namely,
 18 descriptions and certificates of birth and service of dam by sire. And it
 19 is still more important that false registers and false certificates of birth
 20 and of service should be dealt with by the full rigor of law.

21 To this end your petitioners beg that your honorable body will pass,
 22 and present to the Governor for his signature, the accompanying bill, or
 23 an act of substantially the same character, feeling that the passage of
 24 such a measure will conduce to the wealth, prosperity, and increase of a
 25 valuable industry, and consequently tend to the betterment of every class
 26 in the community.

27 And your petitions will ever pray:

AMENDMENT TO SENATE BILL No. 196, PROPOSED BY THE
 JUDICIARY COMMITTEE.

First—Amend by striking out section 2.

1. Introduced by Mr. Washburn, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on Appropriations.
3. Reported back February 10, 1887, passage recommended and ordered to second reading.

A BILL

For An Act making an appropriation to enable the schools of the State to exhibit properly specimens of their work at the National Educational Exposition, to be held in Chicago, July 7th to 16th, 1887.

SECTION 1. Be it enacted by the People of the State of Illinois, represented

2 *in the General Assembly, That there be and is hereby appropriated the sum*
3 *of five thousand dollars to aid the schools of the State to present a proper*
4 *exhibit of their work at the National Educational Exposition, to be held in*
5 *Chicago, July 7th to 16th, 1887.*

§ 2. The Auditor is hereby authorized and required to draw his warrant
2 on the Treasurer of the State for the said sum of five thousand dollars,
3 \$5,000, payable to Richard Edwards, S. H. Peabody, A. R. Sabm, W. L.
4 Steele, C. J. Kinnic, Charles W. Tufts and John Hull, or to such persons
5 as they may designate, a committee representing the Illinois Teachers' Asso-
6 ciation, who are authorized to expend the same, or such part thereof as
7 may be necessary for the purpose above named and whose duty it is hereby
8 made to render to the Governor of the State, within sixty days after the
9 close of such exposition, a full and true account, in itemized detail, of the
10 money so expended, and to return any unexpended balance to the State
11 Treasurer.

§ 3. Whereas, a portion of the money hereby appropriated will be needed
2 before July 1st, therefore, an emergency exists for said act, and said act
3 shall take effect and be in force from and after its passage.

1. Introduced by Mr. Thompson, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on License and Miscellany.
3. Reported back February 10, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to provide for the inspection of Illuminating Oils, manufactured from Petroleum or Coal Oils.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the Governor of the State shall appoint, by,
3 and with the advice and consent of the Senate, a suitable person, resident
4 of this State, who is not interested in manufacturing, dealing in, or vending
5 any illuminating oils manufactured from Petroleum, as a State Inspector of
6 Oils, whose term of office shall be for four years from the date of appointment,
7 or until his successor shall be appointed or shall qualify. It shall be the
8 duty of said State Inspector, or his deputies hereinafter provided, to ex-
9 amine and test the quality of all such oils offered for sale by any manufacturer,
10 vendor, or dealer, and, if upon such testing or examination the oils shall
11 meet the requirement hereinafter specified, he shall fix his brand or device,
12 viz: "approved," with the date over his official signature, upon the package,
13 barrel, or cask, containing the same. And, to more effectually carry out the
14 provisions of this act, it shall be lawful for the State Inspector or his
15 deputies, to enter into, or upon the premises of any manufacturer, vendor,
16 or dealer of said oils, and if they shall find or discover any kerosene oil or
17 any other product of Petroleum intended for sale for illuminating purposes within
18 this State, that has not been inspected and branded according to the provis-
19 ions of this act, they shall proceed to inspect and brand the same. And
20 it shall be lawful for any manufacturer, vendor, or dealer, to sell the oil so

21 tested and approved, as an illuminator; but if the oil or product of Petro-
 22 leum so tested shall not meet said requirements, he shall mark in plain
 23 letters on said package, barrel, or cask over his official signature, the
 24 words: "Rejected for illuminating purposes;" and it shall be unlawful for
 25 the owner thereof to sell such oil or other product of Petroleum, for illu-
 26 minating purposes, and if any person shall sell or offer for sale such re-
 27 jected oil or other product of Petroleum, for such purposes, he shall be
 28 deemed guilty of a misdemeanor, and upon conviction thereof, shall be
 29 subject to a penalty, in the discretion of the court, in any sum not exceed-
 30 ing two hundred dollars.

§ 2. The State Inspector provided for in this act, is hereby empowered
 2 to appoint and station a suitable number of deputies, which deputies are
 3 hereby empowered to perform the duties of inspection, and shall be liable
 4 to the same penalties as the State Inspector, *provided*, that the State In-
 5 spector may remove any of said deputies for reasonable cause. It shall be
 6 the duty of the Inspector and his deputies, to provide themselves, at their
 7 own expense, with the necessary instruments and apparatus for testing the
 8 quality of said illuminating oils, and when called upon for that purpose,
 9 to promptly inspect all oils herein before mentioned, and to reject for
 10 illuminating purposes all oils which will emit a combustible vapor at the
 11 temperature of one hundred degrees of Fahrenheit's thermometer; *provided*,
 12 the quantity of oil used in the flash test shall not be less than half a pint.
 13 The oil tester known as the Foster Automatic Apparatus, shall be used by
 14 the Inspector and his deputies. The State Inspector shall prepare the forms
 15 of all stencils, brands and stamps provided for in this act, and shall make
 16 such rules and regulations for the government of his deputies, as may be
 17 necessary for the enforcement of the provisions of this act.

§ 3. Every person appointed a State Inspector shall, before he enters upon
 2 the discharge of the duties of his office, take an oath of affirmation prescribed
 3 by the Constitution and laws of this State, and shall file the same on the
 4 office of the Secretary of State. The State Inspector shall execute a bond

5 to the State of Illinois, in the sum of \$20,000, with securities to be approved
6 by the Secretary of State, conditioned for the faithful performance of the
7 duties imposed upon him by this act, which bond shall be for the use of all
8 persons aggrieved by the acts or neglect of said inspector; and the same shall
9 be filed with the Secretary of State. The deputy inspector shall, before he
10 enters upon the duties of his office, take such oath and file such bond, with
11 like conditions as is required of the State Inspector, with two sureties to be
12 approved by the State Inspector, and file such oath and bond with the
13 Secretary of State. It shall also be the duty of every inspector or deputy
14 inspector to keep a true and accurate record of all oils so inspected and
15 branded by him, which record shall state the date of inspection, the number
16 of barrels rejected, the number of barrels approved, the name of the person
17 for whom inspected, and the money received for such inspection, and said
18 record shall be open to the inspection of all persons interested. It shall also be
19 the duty of every deputy inspector, at the commencement of each month, to
20 forward to the State Inspector a true copy of such record for the preceding
21 month. In the month of January of each year, the State Inspector shall
22 make and deliver to the Governor of the State, and Board of Public Health,
23 annual duplicate reports of the inspections by himself and deputies during the
24 preceding calendar year. All illuminating oils manufactured or refined in this
25 State intended for consumption within the State, shall be inspected before
26 being removed from the manufactory or refinery; and if any person, or persons,
27 whether manufacturer, vendor or dealer, shall sell, or attempt to sell to any
28 person or persons in this State, any illuminating oils, whether manufactured in this
29 State or not, before having the same inspected as provided in this act, he shall be
30 deemed guilty of a misdemeanor and shall be subject to a penalty
31 not exceeding two hundred dollars; and if any manufacturer, vendor or dealer,
32 in either or any of said illuminating oils, shall falsely brand the package
33 cask or barrel containing the same, as provided in sections one and two of
34 this act, or shall use packages, casks or barrels having the inspector's brand
35 thereon, without having the oil inspected, he shall be deemed guilty of a
36 misdemeanor, and shall be subject to a penalty in any sum not exceeding

two hundred dollars, nor less than one hundred dollars, or to be imprisoned in the county jail not exceeding six months, or both, at the discretion of the court.

§ 4. Any person selling or dealing in illuminating oils produced from petroleum, who shall sell or dispose of any empty kerosene barrel, cask, or package, before thoroughly cancelling, removing, or effacing the inspection brand on same, shall be guilty of a misdemeanor, and on conviction, shall pay a fine of one dollar for each barrel, cask, or package thus sold or disposed of; and any person who shall knowingly use any illuminating oil product of petroleum for illuminating or heating purposes before the same has been inspected and approved by the State Inspector of Oils, or his deputy, shall be guilty of a misdemeanor, and on conviction, shall pay a fine in any sum not exceeding ten dollars for each offense.

§ 5. No person shall adulterate with paraffine or other substance, for the purpose of sale or for use, any coal or kerosene oils to be used for lights in such a manner as to render them dangerous to use, nor shall any person knowingly sell, or offer to sell, or knowingly use such adulterated oil, nor shall any person knowingly sell, or offer for sale, or knowingly use any coal or kerosene oil, or any of the products thereof for illuminating purposes, which by reason of being adulterated, or for any other reason, will emit a combustible vapor at a temperature less than one hundred degrees of Fahrenheit's thermometer: *Provided*, That the quantity used in the test shall not be less than one-half pint, and the test be made as provided in section 2, of this act, and, *further provided*, that the gas or vapor from said oils may be used for illuminating purposes, when the oils from which said gas or vapor is generated, are contained in enclosed reservoirs outside of the building illuminated or lighted by said gas. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by imprisonment in the county jail not more than one year, or by fine not exceeding four hundred dollars, or both such fine and imprisonment in the discretion of the court: *Provided*, that nothing in this

19 act shall be so construed as to prevent the use in street lamps of lighter
 20 products of petroleum, such as gasoline, benzine, benzole, naphtha: *Provided,*
 21 *further,* that the provisions of this act shall not apply to the use of machines,
 22 or generators, constructed on the principle of the Davy Safety Lamp.

§ 6. The State Inspector and his deputies shall be entitled to receive
 2 as fees, to be paid by the party requiring their services as provided in the
 3 act, as follows: The State Inspector or his deputy, shall be entitled to
 4 demand and receive from the owner or person calling on him, or for
 5 whom he shall perform the inspection, the sum of five cents for each barrel
 6 or cask, in lots of one hundred or more; ten cents for each barrel or cask
 7 when the lot exceeds fifty and is less than one hundred; fifteen cents for
 8 each barrel or cask when the lot exceeds twenty-five and does not exceed
 9 fifty; twenty cents for each barrel or cask when the lot exceeds ten and
 10 does not exceed twenty-five; twenty-five cents for each barrel or cask when
 11 the lot exceeds one and does not exceed ten; and, forty cents for a single
 12 barrel or cask. A barrel or cask shall not have a capacity of more than
 13 fifty-five gallons, and when the oil is contained in packages other than
 14 barrels or casks, fifty-five gallons shall count as a barrel or cask in com-
 15 putation for inspector's fees. All fees so accruing shall be a lien on the oil
 16 so inspected.

§ 7. It shall be the duty of the State Inspector, or any deputy inspector,
 2 who shall know of the violation of any of the provisions of this act, to enter
 3 complaint before any court of sufficient jurisdiction, against any person so
 4 offending, and in case the State Inspector, or deputy inspector having
 5 knowledge of the violations of the provisions of this act, and neglect to
 6 enter complaint as required by and provided for in this section, he shall be
 7 deemed guilty of a misdemeanor.

§ 8. It shall be the duty of all prosecuting attorneys to represent and
 2 prosecute in behalf of the people, within their respective counties, all cases
 3 of offense arising under the provisions of this act. All disputes concerning
 4 the vaporizing temperature of any particular lot of oil, arising between a

5 deputy and a manufacturer, dealer or consumer, shall be referred by them
6 to the State Inspector for decision. An appeal from the decision of the State
7 Inspector may be taken by the manufacturer, dealer or consumer to the
8 State Professor of Chemistry, whose decision shall be final.

§ 9. The fines herein provided may be recovered in the name of the people
2 of the State of Illinois before any justice of the peace of the county wherein
3 the offense is committed, and when collected shall be paid to the proper
4 officers, to be used for school purposes in said county.

§ 10. No inspector or deputy inspector shall, while in office, traffic directly
2 or indirectly, in any article which he is appointed to inspect. For the viola-
3 tion of any of the provisions of this act, he shall be liable to a penalty not
4 to exceed three hundred dollars.

§ 11. It shall be the duty of the Governor to remove from office, and to
2 appoint a competent person in the place of any State Inspector who is
3 unfaithful in the duties of his office.

§ 12. An act entitled "An act to revise the law in relation to Oil
2 Inspection," approved March 12, 1874, and all acts and parts of acts,
3 inconsistent with the provisions of this act, are hereby repealed.

1. Introduced by Mr. Thompson February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on License and Miscellany.
3. Reported back February 10, and referred to Committee on Judiciary.
4. Reported back March 23, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the inspection of illuminating oils, manufactured from petroleum or coal oils.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Governor of the State shall appoint, by and with the advice and consent of the Senate, a suitable person, resident of this State, who is not interested in manufacturing, dealing in, or vending any illuminating oils manufactured from petroleum, as a State inspector of oils, whose term of office shall be for four years from the date of appointment, or until his successor shall be appointed or shall qualify. It shall be the duty of said State Inspector, or his deputies hereinafter provided, to examine and test the quality of all such oils offered for sale by any manufacturer, vendor or dealer, and if upon such testing or examination the oils shall meet the requirement hereinafter specified, he shall fix his brand or device, viz., "approved," with the date, over his official signature, upon the package, barrel or cask, containing the same. And to more effectually carry out the provisions of this act, it shall be lawful for the State Inspector or his deputies to enter into or upon the premises of any manufacturer, vendor or dealer of said oils, and if they shall find or discover any kerosene oil or any other product of petroleum, intended for sale for

18 illuminating purposes within this State, that has not been inspected and
19 branded according to the provisions of this act, they shall proceed to inspect
20 and brand the same. And it shall be lawful for any manufacturer, vendor
21 or dealer to sell the oil so tested and approved as an illuminator, but if
22 the oil or product of petroleum so tested shall not meet said requirements,
23 he shall mark in plain letters on said package, barrel or cask, over his
24 official signature, the words, "Rejected for illuminating purposes," and it
25 shall be unlawful for the owner thereof to sell such oil or other product
26 of petroleum for illuminating purposes, and if any person shall sell or offer
27 for sale such rejected oil or other product of petroleum, for such purposes,
28 he shall be deemed guilty of a misdemeanor, and upon conviction thereof
29 shall be subject to a penalty, in the discretion of the court, in any sum
30 not exceeding two hundred dollars.

§ 2. The State Inspector provided for in this act is hereby empowered
2 to appoint and station a suitable number of deputies, which deputies are
3 hereby empowered to perform the duties of inspection, and shall be liable
4 to the same penalties as the State Inspector. *Provided*, that the State
5 Inspector may remove any of said deputies for reasonable cause. It shall
6 be the duty of the Inspector and his deputies to provide themselves, at
7 their own expense, with the necessary instruments and apparatus for testing
8 the quality of said illuminating oils, and when called upon for that purpose,
9 to promptly inspect all oils heretofore mentioned, and to reject for
10 illuminating purposes all oils which will emit a combustible vapor at the
11 temperature of one hundred degrees of Fahrenheit's thermometer. *Provided*,
12 the quantity of oil used in the flash test shall not be less than half a
13 pint. The oil tester known as the Foster automatic apparatus shall be used
14 by the Inspector and his deputies. The State Inspector shall prepare the
15 forms of all stencils, brands and stamps provided for in this act, and shall
16 make such rules and regulations for the government of his deputies as may
17 be necessary for the enforcement of the provisions of this act.

§ 3. Every person appointed a State Inspector shall, before he enters
2 upon the discharge of the duties of his office, take an oath of affirmation

13 prescribed by the Constitution and laws of this State, and shall file the
 14 same in the office of the Secretary of State. The State Inspector shall
 15 execute a bond to the State of Illinois in the sum of \$20,000, with sureties
 16 to be approved by the Secretary of State, conditioned for the faithful
 17 performance of the duties imposed upon him by this act, which bond shall
 18 be for the use of all persons aggrieved by the acts or neglect of said
 19 Inspector, and the same shall be filed with the Secretary of State. The
 20 deputy inspector shall, before he enters upon the duties of his office, take
 21 such oath and file such bond, with like conditions as is required of the
 22 State Inspector, with two sureties to be approved by the State Inspector,
 23 and file such oath and bond with the Secretary of State. It shall
 24 also be the duty of every inspector or deputy inspector to keep a true
 25 and accurate record of all oils so inspected and branded by him, which
 26 record shall state the date of inspection, the number of barrels rejected, the
 27 number of barrels approved, the name of the person for whom inspected, and
 28 the money received for such inspection, and said record shall be open to
 29 the inspection of all persons interested. It shall also be the duty of every deputy
 30 inspector at the commencement of each month to forward to the State Inspector a true
 31 copy of such record for the preceding month. In the month of January in each
 32 year the State Inspector shall make and deliver to the Governor of the State
 33 and Board of Public Health, annual duplicate reports of the inspections by
 himself and deputies during the preceding calendar year. All illuminating
 oils manufactured or refined in this State intended for consumption within the
 State shall be inspected before being removed from the manufactory or re-
 finery, and if any person or persons, whether manufacturer, vendor or dealer,
 shall sell or attempt to sell to any person or persons in this State any illumi-
 nating oils, whether manufactured in this State or not, before having the
 same inspected as provided in this act, he shall be deemed guilty of a
 misdemeanor, and shall be subject to a penalty not exceeding two hundred
 dollars, and if any manufacturer, vendor or dealer in either or any said
 illuminating oils, shall falsely brand the package, cask or barrel containing the

34 same, as provided in sections one and two of this act, or shall use packages,
 35 casks or barrels having the inspector's brand thereon without having the oil
 36 inspected, he shall be deemed guilty of a misdemeanor, and shall be subject
 37 to a penalty in any sum not exceeding two hundred dollars nor less than one
 38 hundred dollars, or to be imprisoned in the county jail not exceeding six
 39 months, or both, at the discretion of the court.

§ 4. Any person selling or dealing in illuminating oils produced from petro-
 2 leum, who shall sell or dispose of any empty kerosene barrel, cask or package,
 3 before thoroughly cancelling, removing or effacing the inspection brand on same,
 4 shall be guilty of a misdemeanor, and on conviction, shall pay a fine of one dollar
 5 for each barrel, cask or package thus sold or disposed of; and any person who
 6 shall knowingly use any illuminating oil product of petroleum for illuminating or
 7 heating purposes before the same has been inspected and approved by the State
 8 Inspector of Oils or his deputy, shall be guilty of a misdemeanor, and on convic-
 9 tion, shall pay a fine in any sum not exceeding ten dollars for each offense.

§ 5. No person shall adulterate with paraffine or other substance, for the pur-
 2 pose of sale or for use, any coal or kerosene oils to be used for lights in such a
 3 manner as to render them dangerous to use, nor shall any person knowingly, sell
 4 or offer to sell, or knowingly use such adulterated oil, nor shall any person know-
 5 ingly sell or offer for sale, or knowingly use any coal or kerosene oil, or any of the
 6 product thereof for illuminating purposes, which by reason of being adulterated,
 7 or for any other reason, will emit a combustible vapor at a temperature less than
 8 one hundred degrees of Fahrenheit's thermometer. *Provided*, that the quantity
 9 used in the test shall not be less than one half pint, and the test be made as pro-
 10 vided in Section 2 of this act, and, *further provided*, that the gas or
 11 vapor from said oils may be used for illuminating purposes, when the oils from
 12 which said gas or vapor is generated, are contained in enclosed reservoirs outside
 13 of the building illuminated or lighted by said gas. Any person violating
 14 the provisions of this section shall be deemed guilty of a misdemeanor, and
 15 shall upon conviction thereof, be punished by imprisonment in the county jail
 not more than one year, or by fine not exceeding four hundred dollars, or

17 both such fine and imprisonment in the discretion of the court: *Provided*,
 18 that nothing in this act shall be so construed as to prevent the use in street
 19 lamps of lighter products of petroleum, such as gasoline, benzine, benzole,
 20 naphtha: *Provided further*, that the provisions of this act shall not apply to
 21 the use of machines, or generators, constructed on the principle of the Davy
 22 Safety Lamp?

§ 6. The State Inspector and his deputies shall be entitled to receive
 2 as fees, to be paid by the party requiring their services as provided in the
 3 act, as follows: The State Inspector or his deputy, shall be entitled to de-
 4 mand and receive from the owner or person calling on him, or for whom he
 5 shall perform the inspection, the sum of five cents, for each barrel or cask, in
 6 lots of one hundred or more; ten cents for each barrel or cask, when the
 7 lot exceeds fifty and is less than one hundred; fifteen cents for each barrel
 8 or cask when the lot exceeds twenty-five and does not exceed fifty; twenty
 9 cents for each barrel or cask when the lot exceeds ten and does not exceed
 10 twenty-five; twenty five cents for each barrel or cask when the lot exceeds
 11 one and does not exceed ten; and, forty cents for a single barrel or cask. A
 12 barrel or cask shall not have a capacity of more than fifty-five gallons, and
 13 when the oil is contained in packages other than barrels or casks, fifty-five
 14 gallons shall count as a barrel or cask in computation for inspectors fees. All
 15 fees so accruing shall be a lien on the oil so inspected.

§ 7. It shall be the duty of the State Inspector, or any deputy inspector,
 2 who shall know of the violation of any of the provisions of this act, to enter
 3 complaint before any court of sufficient jurisdiction, against any person so
 4 offending, and in case the State Inspector, or deputy inspector, having knowl-
 5 edge of the violations of the provisions of this act, and neglect to enter com-
 6 plaint as required by and provided for in this section, he shall be deemed
 7 guilty of a misdemeanor.

§ 8. It shall be the duty of all prosecuting attorneys to represent and pros-
 2 ecute in behalf of the people, within their respective counties, all cases of
 3 offense arising under the provisions of this act. All disputes concerning the

4 vaporizing temperature of any particular lot of oil, arising between a deput
5 and a manufacturer, dealer or consumer, shall be referred by them to the
6 State Inspector for decision. An appeal from the decision of the State In-
7 spector may be taken by the manufacturer, dealer or consumer to the
8 State Professor of Chemistry, whose decision shall be final.

§ 9. The fines herein provided may be recovered in the name of the
2 People of the State of Illinois before any justice of the peace of the
3 county wherein the offense is committed, and when collected shall be paid
4 to the proper officers, to be used for school purposes in said county.

§ 10. No inspector or deputy inspector shall while in office, traffic direct
2 ly or indirectly, in any article which he is appointed to inspect. For the
3 violation of any of the provisions of this act, he shall be liable to a pen
4 alty not to exceed three hundred dollars.

§ 11. It shall be the duty of the Governor to remove from office, and
2 appoint a competent person, in the place of any State Inspector, who is
3 unfaithful in the duties of his office.

§ 12. An act entitled "An Act to Revise the Law in Relation to Oil
2 Inspection" approved March 12, 1874, and all acts and parts of acts, incon
3 sistent with the provisions of this act, are hereby repealed.

1. Received from House April 28, 1887, and ordered to first reading.
2. First reading May 6, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section five (5), of article eleven (11), of an act entitled
"An act to provide for the incorporation of cities and villages," approved
April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That* section five (5), of article eleven (11), of an
3 act entitled "An act to provide for the incorporation of cities and villages,"
4 approved April 10, 1872, in force July 1, 1872, be and the same is hereby
5 amended so as to read as follows:

6 "Section 5. Whenever an area of contiguous territory, not exceeding one
7 square mile, shall have resident thereon, a population of at least two hundred
8 inhabitants, and which territory is not included within the limits of any
9 incorporated city, village or town, the same may become incorporated as a
10 village, under this act, in the manner following: Any thirty legal voters
11 resident within the limits of such proposed village, may petition the county
12 judge of the county in which they reside, to cause the question to be sub-
13 mitted to the legal voters of such proposed village, whether they will organ-
14 ize as a village, under this act. And if the territory described in said petition,
15 shall be situated in more than one county, then the petition shall be addressed
16 to the judge of the county court of the county where a greater part of such
17 territory is situated. Such petition shall be addressed to the county judge,
18 contain a definite description of the lands intended to be embraced in such
19 village, the number of inhabitants resident therein, and the name of such
20 proposed village."

1. Introduced by Mr. Johnson, February 3, 1887, and ordered to first reading.
 2. First reading February 3, 1887, and referred to Committee on Agriculture and Drainage.
 3. Reported back March 24 with amendment, passage recommended and ordered to second reading.
-

A BILL

For An act to amend an act entitled "An act to revise and amend an act and certain sections thereof, entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws herein named," approved June 30, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That drainage districts heretofore organized under the act to which this act is an amendment where the proceedings for organization were had in the court of a justice of the peace, and the districts were organized for both drainage and levee purposes, and contained over four thousand acres of land, extending into two or more counties, and assessments have heretofore been made to the amount of eight thousand dollars or more, shall be transfered from the jurisdiction of the court of a justice of the peace, to the county court of the county in which a major part of the lands are situated, and the justice of the peace, before whom the proceedings were had, or his successor in office, shall turn over, transfer and deliver to the county clerk of said county, all petitions, reports, records, surveys, plats and papers

13 in his possession relating to, or in any way connected with such drainage
14 and levee district, within twenty days from and after the date when this act
15 shall take effect, and thereupon the said county court shall have and exercise
16 jurisdiction over such drainage and levee districts as fully and to the same
17 extent as if the said drainage and levee districts originally had been lawfully
18 organized by proceedings in said county court."

19 "Section 2. The county court at its first term after such transfer has been
20 been made, shall appoint three competent persons commissioners for the dis-
21 tricts transferred, a majority of whom shall not be owners of land within the
22 drainage and levee district, and hereafter the commissioners shall be appointed
23 and hold office as provided in the act to which this act is an amendment."

24 "Section 3. Whereas an emergency exists for the reason that many of the
25 justices of the peace have not the requisite qualifications to properly compre-
26 hend and execute the drainage laws and keep a correct record of the pro-
27 ceedings, therefore this act shall be in force from and after its passage

COMMITTEE AMENDMENT TO SENATE BILL NO. 202, PROPOSED BY
COMMITTEE ON AGRICULTURE AND DRAINAGE.

Amend by striking out the emergency clause

1. Introduced by Mr. Eckhart, February 3, 1887, and ordered to first reading.
2. First reading February 3, 1887, and referred to Committee on State Charitable Institutions.
3. Reported back February 24, 1887, with favorable recommendation, and referred to Committee on Appropriations.
4. Reported back March 17, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Charitable Eye and Ear Infirmary at Chicago

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there is hereby appropriated to the Illinois Charitable Eye and Ear Infirmary at Chicago, the sum of twenty-eight thousand dollars per annum for ordinary expenses, payable quarterly in advance from the first day of July, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. For the purpose of making needed repairs and improvements the sum of one thousand dollars per annum; for additional furniture the sum of four thousand dollars; for two sixteen feet tubular boilers the sum of two thousand five hundred dollars.

§ 3. The moneys herein appropriated shall be drawn from the State treasury in the manner and subject to the conditions now provided for by law.

AMENDMENTS PROPOSED BY COMMITTEE ON APPROPRIATIONS TO

SENATE BILL NO. 203.

Amend by striking out in line nine the words "twenty-eight" and insert
2 in lieu thereof the words "twenty-five."

3 Also amend by striking out in line nineteen the words "four thousand
4 and insert in lieu thereof the words "three thousand "

5 Also amend by striking out in line twenty one the words "five hundred

(Substitute for No. 70.)

1. Introduced by Committee on Agriculture and Drainage, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and ordered to a second reading.

A BILL

For An Act to protect stockbreeders within the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in order to protect farmers in this State against damage resulting from breeding to sires advertised with bogus or fraudulent pedigrees, and to secure to the owner of sires payment for service, the following provisions are enacted: That every owner of a sire charging a service fee, in order to have a lien upon the get of any such sire under the provisions of this act for said service, shall file a statement, verified by oath or affirmation to the best of his knowledge and belief, with the secretary of the State Board of Agriculture, giving the name, age, description and pedigree, as well as the terms and conditions upon which such sire is advertised for service.

§ 2. The Secretary of the State Board of Agriculture, upon the receipt of the statement as specified in section one (1) of this act, duly verified by affidavit, shall issue a certificate to the owner of said sire, a copy of which certificate shall be forwarded to the clerk of the county court in which said sire is stationed or located, and another copy furnished the applicant, which shall be posted by the owner in a conspicuous place where said sire may be stationed, which certificate shall state the name, age, description, pedigree and ownership of said sire, the terms and conditions upon which the sire is advertised for service, and that the provisions of this act so far as relates to the filing of the statement aforesaid have been complied with.

§ 3. The owner or owners of any sire receiving such certificate by complying with section one (1) of this act, shall obtain and have a lien upon the get of any such sire for the period of eighteen months from date of service of said sire. *Provided*, said owner or owners shall, within six months of the time of the rendition of such service by such certified sire, file for record a statement of account verified by affidavit or affirmation with the recorder of the county wherein the service has been rendered, of the amount due such owner or owners for said service together with a description of the female served.

§ 4. No "get" of any such sire shall be exempt from levy and sale under execution issued upon a judgment obtained in any court of competent jurisdiction for said service: *Provided*, that the court rendering such judgment shall find and certify in the record of the same that the plaintiff or plaintiffs have complied with the provisions of this act, and that the progeny sought to be levied upon is subject to the lien herein created. *And, provided further*, that said finding, together with a description of the dam of the progeny so liable to such lien, shall be endorsed upon the execution.

§ 5. For filing certificate, making copy of such affidavit or affirmation, the certificate of the date of such filing, the clerk or recorder shall be entitled to the same fees as are provided by law for like service in regard to chattel mortgage.

§ 6. The Illinois State Board of Agriculture shall have the power to make such charge for certificates as may be necessary to cover the expense of executing the law, and the Treasurer of the State Board of Agriculture after paying the office expenses, printing, etc., incident to executing the provisions of this act, shall pay into the treasury of the State any surplus remaining in his hands on account of fees received under the provisions of this act.

§ 7. The Commissioners of State Contracts shall have such a number of the annual reports printed and bound in third class binding as may be deemed advisable by the State Board of Agriculture to obtain the greatest benefits to

1 the breeders of improved stock in this State, under the provisions of this
2 act, said reports to contain copies of certificates issued, and such other data
3 of especial interest to live stock breeders as said Board of Agriculture may
4 designate for publication therein

(Substitute for No. 70.)

1. Introduced by Committee on Agriculture and Drainage, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and ordered to a second reading.
3. Second reading February 17, 1887, amended and ordered to a third reading.

A BILL

For An Act to protect stockbreeders within the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in order to protect farmers in this State against damage resulting from breeding to sires advertised with bogus or fraudulent pedigrees, and to secure to the owner of sires payment for service, the following provisions are enacted: That every owner of a sire charging a service fee, in order to have a lien upon the get of any such sire under the provisions of this act for said service, shall file a statement, verified by oath or affirmation to the best of his knowledge and belief, with the secretary of the State Board of Agriculture, giving the name, age, description and pedigree, as well as the terms and conditions upon which such sire is advertised for service.

§ 2. The Secretary of the State Board of Agriculture, upon the receipt of the statement as specified in section one (1) of this act, duly verified by affidavit, shall issue a certificate to the owner of said sire, a copy of which certificate shall be forwarded to the clerk of the county court in which said sire is stationed or located, and another copy furnished the applicant, which shall be posted by the owner in a conspicuous place where said sire may be stationed, which certificate shall state the name, age, description, pedigree and ownership of said sire, the terms and conditions upon which the sire is advertised for service, and that the provisions of this act so far as relates to the filing of the statement aforesaid have been complied with.

1. Introduced by Mr. Cochran, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and referred to Committee on Corporations.
3. Reported back April 15, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to receivers of corporations, and to fix the compensation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every receiver for any corporation within this State, shall be allowed to receive as compensation for his services, as such receiver, not to exceed five per cent. for the first one hundred thousand dollars actually received and paid out, and two per cent. on all sums actually received and paid out in excess of the said one hundred thousand dollars. But no receiver shall be allowed or shall receive, from such percentages or otherwise, for his said services for any one year, or a fraction thereof, any greater sum or compensation than seven thousand dollars, and when more than one receiver for any corporation has been or shall be appointed, the compensation herein provided shall be divided between such receivers in proportion to the services rendered by each.

AMENDMENTS PROPOSED BY THE COMMITTEE ON CORPORATIONS TO SENATE BILL No. 206.

Amend section 1 by striking out "any greater sum or compensation than seven thousand dollars," and in inserting in lieu thereof "any greater sum or compensation than ten thousand dollars."



1. Introduced by Mr. Adams, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and referred to Committee on County and Township Organization.
3. Reported back February 7, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section thirty-three of an act entitled, "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872; as amended by act approved May 23, 1877, in force July 1, 1877; as amended by act approved May 31, 1879, in force July 1, 1879; as amended by act approved May 31, 1881, in force July 1, 1881.

1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section thirty-three of an act to
3 establish and maintain a system of free schools," approved April 1, 1872, in force
4 July 1, 1872; as amended by act approved May 23, 1877, in force July 1, 1877; as
5 amended by act approved May 31, 1879, in force July 1, 1879, as amended by act
6 approved May 31, 1881, in force July 1, 1881, be amended so as to read as follows:
7 Section 33. Trustees of schools in newly organized townships shall lay
8 off townships into one or more districts to suit the wishes and convenience
9 of a majority of the inhabitants of the township, and shall prepare or cause
10 to be prepared a map of the township, on which map shall be designated
11 the district or districts, to be styled, when there are more than one district,
12 District No. —, in township No. —, range — of the — P. M., accord-
13 ing to the proper numbers, county of —, and State of Illinois. And
14 when petitioned so to do, as hereinafter provided, they may, having discre-
15 tion in the matter, at the regular meeting in April, change such districts as

16 lie wholly within their townships so as to divide or consolidate districts, to
 17 organize a new district out of territory belonging to two or more districts
 18 or to detach territory from one district and add the same to another district
 19 adjacent thereto. And at the same meeting, by the concurrent action of the
 20 several boards of trustees of the townships in which the district or districts
 21 effected be, each board being petitioned as hereinafter provided, the same
 22 changes may be made in the boundaries, both of districts which lie in
 23 separate townships, but adjacent to each other, and of districts formed of
 24 parts of two or more townships: *Provided*, That none of these changes
 25 shall be made unless petitioned for (1) by a majority of the legal voters of
 26 each of the districts affected by the proposed change; or (2) by two-thirds
 27 ($\frac{2}{3}$) of all the legal voters living within certain territory described in the
 28 petition asking that said territory be detached from one district and added
 29 to another; or (3) by two-thirds ($\frac{2}{3}$) of all the legal voters living within
 30 certain territory containing not less than ten (10) families, asking that said
 31 territory be made a new district. But in case any territory be set off from
 32 any district that has a bonded debt, the change not being petitioned for by
 33 a majority of the legal voters of said district, such district shall remain
 34 liable for the payment of such bonded debt as if not divided. The directors
 35 of the original district having such bonded debts, and of the district into
 36 which the territory taken from such original district has been incorporated
 37 or formed, shall constitute a joint board for the purpose of determining and
 38 certifying, and they shall determine and certify to the county clerk the
 39 amount of tax required yearly for the purpose of paying the interest and prin-
 40 cipal of such bonded debt, which tax shall be extended by the county clerk
 41 against all the property embraced within such original district, as if it had
 42 not been divided: *Provided, also*, that in school districts having a popula-
 43 tion of not less than one thousand (1,000) inhabitants, any desired change
 44 of boundaries may be submitted to the trustees by a vote of the people
 45 instead of by petition, as heretofore set forth; and when petitioned so to
 46 do by twenty-five (25) legal voters of the district, the school board of the

47 district shall submit the question of change desired to the voters of said
 48 district, at a special election called for that purpose, and held at least
 49 thirty (30) days prior to the regular meeting of the trustees at which
 50 they consider change of district boundaries. If a majority of the votes
 51 cast at any such election shall be in favor of the change proposed, then
 52 due return of the election having been made to the township treasurer,
 53 the township trustees shall consider and take action, the same as if petitioned
 54 therefor by a majority of the legal voters of such district; but no question
 55 of change of boundaries shall be submitted to a vote of the school district
 56 more than once in any one (1) year: *Provided, further, that no petition*
 57 *shall be acted upon by any board of trustees unless it shall have been*
 58 *filed with the clerk of said board of trustees twenty days before the regular*
 59 *meeting in April, nor unless a copy of said petition, together with a notice*
 60 *in writing, which notice may be in the following form to-wit: The directors*
 61 *of district No. in township No. , range of the principal*
 62 *meridian, will take notice that the undersigned have made and filed with the*
 63 *clerk of the board of trustees of said township their petition, a copy of*
 64 *which is herewith handed to you, shall be delivered by the petitioners, or*
 65 *some one of them, at least ten (10) days before the date at which the peti-*
 66 *tion is to be considered, to the president or clerk of the board of directors*
 67 *of each district, whose boundaries will be changed if the petition is granted.*
 68 *When at the regular meeting of the trustees in April, any such petition shall*
 69 *come before the trustees, it shall be the duty of the trustees to ascertain,*
 70 *first, whether the foregoing provisions have been strictly complied with, and*
 71 *if it shall appear that they or either of them have not been complied with,*
 72 *in such case the board shall adjourn the hearing for not longer than four*
 73 *(4) weeks in order that the foregoing provisions may be complied with; but*
 74 *there shall be but one adjournment for such purpose. If, on the day of*
 75 *the regular meeting, or at the adjourned meeting, it shall appear that such*
 76 *provisions have been complied with, then the trustees shall consider the*
 77 *petition, and shall also hear any legal voters living in the district or dis-*

78 tricts that will be affected by the change it made, who may appear before
 79 them to oppose the petition; and they shall grant or refuse the prayer of
 80 the petitioners without unreasonable delay. But the petitioners or the legal
 81 voters who have appeared before the trustees at the meeting when the
 82 petition was considered and opposed, the same shall have the right of appeal
 83 to the county superintendent of schools: *Provided*, the party appealing files
 84 with the clerk of the trustees a written notice of appeal, within ten
 85 days after final action upon the petition by the trustees: *Provided, further*,
 86 that in all cases where a township is divided by a county line or lines, the
 87 appeal may be taken to the county superintendent of schools of any one of
 88 the counties in which the said township is partly located, and upon any
 89 appeal being taken in any such case, the county superintendent of schools
 90 to whom such appeal is taken, shall forthwith give notice to the county
 91 superintendent or superintendents of schools of the other county or counties
 92 of the pendency of such appeal, and of the time and place, when and where
 93 it will be heard, and the said county superintendents of schools of the
 94 counties in which the said township is located, shall meet together, at such
 95 time and place, and together hear and determine the said appeal, and in
 96 case the said county superintendents of schools shall be unable to arrive at
 97 an agreement, then the county judge of the county in which such appeal is
 98 pending, shall be called and shall constitute one of the board of appeal, and
 99 thereupon the appeal shall be heard and determined by them, and the
 100 county superintendent of schools to whom such appeal is taken, shall at
 101 once notify in writing the clerk by whom the papers in the case were trans-
 102 mitted to him, of the action taken on such appeal, as hereinafter provided.
 103 Whenever any changes, as provided in this section, are made by the trustees
 104 of schools, if no appeal is taken to the county superintendent, the clerk of
 105 the trustees shall make a complete copy of the record of the action of the
 106 trustees, which copy shall be certified by the president of the trustees and the
 107 clerk, who shall file the same, together with a map of the township, showing
 108 the districts and an accurate list of the taxpayers of the newly arranged

districts with the county clerk within twenty (20) days of the action of the trustees. When the trustees of schools shall organize a new district under the provisions of this section, it shall be the duty of the clerk of the trustees, if no appeal is taken to the county superintendent, to order within fifteen (15) days after the action of the trustees an election, to be held at some convenient time and place within the boundaries of such newly organized district, for the election of three (3) school directors, notice being given by the township treasurer, who shall post up three (3) notices of such election in three (3) prominent places in said district at least ten (10) days prior to the time appointed for holding such election, which notices shall specify the place where such election is to be held, the time for opening and closing the polls and the object of said election. It shall be the duty of the legal voters present, five (5) of whom shall constitute a quorum to appoint three (3) of their number, two (2) of whom shall act as judges and one (1) as clerk of said election. Within ten (10) days after the election it shall be the duty of the directors elected at said election to meet at some convenient time and place, previously agreed upon by said directors, and organize as a district board by appointing one (1) of their number president and also some suitable person clerk of the board, who shall by virtue of his office be clerk of the district. At this first meeting of the directors they shall draw lots for their respective terms of office for one (1), two (2) and three (3) years each of which shall be considered a fractional term, ending at each annual meeting, according to the length of term drawn. When an appeal is taken from the action of the trustees to the county superintendent, the clerk of the trustees shall within five (5) days after the written notice of the appeal has been filed with him by the appellants, transmit all the papers in the case with a transcript of the records of the trustees, showing their action thereon to the county superintendent, and in case of an appeal, the township treasurer shall be required to take no further action in the matter, except upon the order of the county superintendent, whose duty it shall be to investigate the case upon such appeal; and if, in his opinion,

the change asked for is for the best interests of the district or districts concerned, he shall make such change or changes, but if he considers the proposed change unadvisable, he shall refuse to make it, and shall reverse, if need be, the action of the trustees, and shall give the clerk from whom he received the papers immediate notice of such refusal, and his action shall be final and binding. If the charges asked by the petitioners shall be made by the county superintendent, he shall notify in writing the clerk by whom the papers in the case were transmitted to him, of his action, and the clerk shall thereupon make a record of the same, and shall, within ten (10) days thereafter make a copy of the same and the map and list of taxpayers, and deliver them to the county clerk for filing and record by him, the same as if the change had been ordered by the trustees. And in case a new district is organized by the action of the county superintendent, the clerk shall, within five (5) days thereafter, order an election of directors in the new district the same as if the change had been made by the board of trustees. Whenever a new district has been formed by the trustees or by the county superintendent, from a part of a district or from parts of two (2) or more districts, the trustees of the township or townships concerned shall proceed forthwith to make a distribution of any tax funds or other funds which are in the hands of the treasurer, or to which the district may, at the time of such division be entitled, so that both the old and new districts shall receive part of such funds in proportion to the amount of taxes collected next preceding such division, from the taxable property in the territory composing the several districts. If the new district be composed of parts of two (2) or more districts, the trustees shall make distribution of said funds between the new district and the old districts respectively, so that the new district shall receive a distribution of the funds of each of the old districts in the proportion which the amount of taxes collected from the property in the territory of the new district bears to the whole taxes collected, next before the division, in the old district; and the town treasurer shall forthwith place the sum

171 so distributed to the credit of the respective districts, and shall immediately
 172 place the proportion of the said funds to which said new district may be
 173 entitled to its credit on his books, and the funds on hand shall be subject
 174 at once to the order of the directors of the new district, and those not on
 175 hand, as soon as collected. The trustees of the township, or townships con-
 176 cerned, shall, at the time of the creation of a new district, or within the
 177 period of thirty (30) days thereafter, proceed to the appointment of three
 178 appraisers, who shall not be citizens of the township or townships interested.
 179 It shall be the duty of said appraisers, within thirty (30) days after their
 180 appointment, to appraise the school property, both real and personal, of the
 181 district or districts interested, at its fair cash value. Within thirty (30)
 182 days after such appraisalment, the trustees of the township or townships
 183 concerned shall proceed to charge the property to the district in which it
 184 may be found, and to credit the other district interested therein with its
 185 proportion of such valuation: *Provided*, that the *bona fide* debts, if any, of
 186 the old district, shall first be deducted and the balance charged and credited
 187 as aforesaid, and of the funds then on hand, or subsequently to accrue,
 188 belonging to such district to which such property is charged, the trustees
 189 shall direct the treasurer to place to the credit of the district not retaining
 190 said property its proportion of the value of said property. If trustees shall
 191 fail to observe the provisions of this section in reference to distribution of
 192 funds and property, they shall be individually and jointly liable to the
 193 district interested, in an action on the case, to the full amount of the dam-
 194 ages sustained by the district aggrieved. Where trustees have heretofore
 195 failed to make distribution of property to districts, as provided in this section,
 196 any district interested in the making of such distribution may, by its
 197 directors, request the trustees, in writing, to proceed to make such distribu-
 198 tion; and said trustees shall proceed to make distribution in the manner
 199 herein prescribed, and shall be liable in like manner for neglect or failure.
 200 The clerk of any board of trustees who shall fail, neglect or refuse to per-
 201 form the duties imposed upon him by this section, or any of them, within

the time and in the manner prescribed, shall, for each offense, forfeit not less than ten dollars (\$10), nor more than twenty five dollars (\$25) of his pay as clerk of the board of trustees and township treasurer, which forfeiture shall be enforced by the trustees. If any school district shall, for two consecutive years, fail to maintain a public school, as required by law to do, it shall be the duty of the trustees of schools of the township or townships in which said district lies, to attach the territory of such district to one (1) or more adjoining school districts; and, in case said territory is added to two (2) or more districts, to divide the property of said district between the districts to which its territory is added, in the manner herein provided for the division of property in case a new district is organized from part of another district, and the action of the trustees in such a case shall be final and binding; and the clerk of the trustees in such cases shall file a copy of the record of the same, together with the map and list of tax-payers, with the county clerk, as in other cases of change of district boundaries. The majority of the legal voters of a district lying in two (2) or more townships may secure the dissolution of said district by petitioning the several boards of trustees of said township, at their regular meeting in April, that each will add the territory belonging to said district in its township to one (1) or more adjoining districts. Upon receipt of such petition, or returns of such election, the several boards of trustees shall each make such disposition of the territory of said district as lies in its township, and shall jointly make such division of the property of said district between the districts to which its territory is attached, as is hereinbefore provided in the case of the organization of a new district from a part of another district and the action of the trustees, in accordance with such petition or election shall be final and binding, and the clerks of the several boards of trustees in such case shall file a copy of the record of the same, together with the map and list of tax-payers, with the county clerk, as in other cases of change of district boundaries."

1. Introduced by Mr. Adams, February 4, 1887, and ordered to first reading.
 2. First reading February 4, 1887, and referred to committee on County and Township Organization.
 3. Reported back February 7, 1887, passage recommended, and ordered to second reading.
 4. Second reading March 18, 1887, amended and ordered to third reading.
-

A BILL

For An Act to amend section thirty-three (33) of an act entitled an "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872; as amended by act approved May 23, 1877, in force July 1, 1877; as amended by act approved June 3, 1879, in force July 1, 1879; as amended by act approved May 31, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section thirty-three (33) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872; as amended by act approved May 23, 1877, in force July 1, 1877; as amended by act approved June 3, 1879, in force July 1, 1879; as amended by act approved May 31, 1881, in force July 1, 1881, be amended so as to read as follows:

"Section 33. Trustees of schools in newly organized townships shall lay off the townships into one or more districts to suit the wishes and convenience of a majority of the inhabitants of the township, and shall prepare or cause to be prepared a map of the township, on which map shall be designated the district or districts, to be styled, when there are more than one district, District No. —, in township No. —, range — of the — P. M. according to the proper numbers, county of —, and State of Illinois." And when petitioned so to do, as hereinafter provided, they may, having discretion in the matter, at the regular meeting in April, change such districts as

16 lie wholly within their townships so as to divide or consolidate districts, to
 17 organize a new district out of territory belonging to two or more districts, or
 18 to detach territory from one district and add the same to another district
 19 adjacent thereto, and upon the petition of a majority of all the voters of a
 20 township may redistrict the township. And at the same meeting, by the con-
 21 current action of the several boards of trustees of the townships in which the
 22 district or districts affected lie, each board being petitioned as hereinafter pro-
 23 vided, the same changes may be made in the boundaries, both of districts
 24 which lie in separate townships, but adjacent to each other, and of districts
 25 formed of parts of two or more townships: *Provided*, that none of these
 26 changes shall be made unless petitioned for (1) by a majority of the legal
 27 voters of each of the districts affected by the proposed change; or (2) by two-
 28 thirds ($\frac{2}{3}$) of all the legal voters living within certain territory described in the
 29 petition asking that said territory be detached from one district and added
 30 to another; or (3) by two-thirds ($\frac{2}{3}$) of all the legal voters living within
 31 certain territory containing not less than ten (10) families, asking that said
 32 territory be made a new district. But in case any territory be set off from
 33 any district that has a bonded debt, the change not being petitioned for by
 34 a majority of the legal voters of said district, such district shall remain
 35 liable for the payment of such bonded debt as if not divided. The directors
 36 of the original district having such bonded debts, and of the district into
 37 which the territory taken from such original district has been incorporated
 38 or formed, shall constitute a joint board for the purpose of determining and
 39 certifying, and they shall determine and certify to the county clerk the
 40 amount of tax required yearly for the purpose of paying the interest and
 41 principal of such bonded debt, which tax shall be extended by the county
 42 clerk against all the property embraced within such original district, as it
 43 it had not been divided: *Provided, also*, that in school districts having a
 44 population of not less than one thousand (1,000) inhabitants, any desired
 45 change of boundaries may be submitted to the trustees by a vote of the
 46 people instead of by petition, as heretofore set forth; and when petitioned

47 so to do by twenty-five legal voters of the district, the school board of the
 48 district shall submit the question of change desired to the voters of said
 49 district, at a special election called for that purpose, and held at least
 50 thirty (30) days prior to the regular meeting of the trustees at which
 51 they consider change of district boundaries. If a majority of the votes
 52 cast at any such election shall be in favor of the change proposed, then
 53 due return of the election having been made to the township treasurer,
 54 the township trustees shall consider and take action, the same as if petitioned
 55 therefor by a majority of the legal voters of such district; but no question
 56 of change of boundaries shall be submitted to a vote of the school district
 57 more than once in any one (1) year: *Provided, further,* that no petition
 58 shall be acted upon by any board of trustees unless it shall have been
 59 filed with the clerk of said board of trustees twenty days before the regular
 60 meeting in April, nor unless a copy of said petition, together with a notice
 61 in writing, which notice may be in the following form to-wit: "The directors
 62 of district No. ... in township No. ..., range ..., of the ... principal
 63 meridian, will take notice that the undersigned have made and filed with the
 64 clerk of the board of trustees of said township their petition, a copy of
 65 which is herewith handed to you," shall be delivered by the petitioners, or
 66 some one of them, at least ten (10) days before the date at which the peti-
 67 tion is to be considered, to the president or clerk of the board of directors
 68 of each district, whose boundaries will be changed if the petition is granted.
 69 When the regular meeting of the trustees in April, any such petition shall
 70 come before the trustees, it shall be the duty of the trustees to ascertain,
 71 first, whether the foregoing provisions have been strictly complied with, and
 72 if it shall appear that they or either of them have not been complied with,
 73 in such case the board shall adjourn the hearing for not longer than four
 74 (4) weeks in order that the foregoing provisions may be complied with; but
 75 there shall be but one adjournment for such purpose. After the trustees
 76 shall consider the petitions no objections can be raised as to its form,
 77 and then action shall be *prima facie* evidence that all the foregoing

78 provisions have been complied with. If on the day of the regular meet-
 79 ing, or at the adjourned meeting it shall appear that such provis-
 80 ions have been complied with, then the trustees shall consider the
 81 petition, and shall also hear any legal voters living in the district or dis-
 82 tricts that will be affected by the change it made, who may appear before
 83 them to oppose the petition; and they shall grant or refuse the prayer of
 84 the petitioners without unreasonable delay. But the petitioners or the legal
 85 voters who have appeared before the trustees at the meeting when the peti-
 86 tion was considered and opposed, the same shall have the right of appeal to
 87 the county superintendent of schools: *Provided*, the party appealing files
 88 with the clerk of the trustees a written notice of appeal, within ten (10)
 89 days after final action upon the petition by the trustees: *Provided, further*,
 90 that in all cases where a township is divided by a county line or lines, the
 91 appeal may be taken to the county superintendent of schools of any one of
 92 the counties in which the said township is partly located, and upon any ap-
 93 peal being taken in any such case, the county superintendent of schools to
 94 whom such appeal is taken, shall forthwith give notice to the county super-
 95 intendent or superintendents of schools of the other county or counties of
 96 the pendency of such appeal, and of the time and place, when and where it
 97 will be heard, and the said county superintendents of schools of the counties
 98 in which the said township is located, shall meet together, at such time and
 99 place, and together hear and determine the said appeal, and in case the said
 100 county superintendents of schools shall be unable to arrive at an agreement,
 101 then the county judge of the county in which such appeal is pending, shall
 102 be called and shall constitute one of the board of appeal, and thereupon the
 103 appeal shall be heard and determined by them, and the county superinten-
 104 dent of schools to whom such appeal is taken, shall at once notify in writing
 105 the clerk by whom the papers in the case were transmitted to him, of the
 106 action taken on such appeal, as hereinafter provided. *And provided, further*,
 107 that where a school district is now or may hereafter be located in two
 108 or more counties, the directors of such district may fix a place of holding

109 general or special elections for school purposes in said district in either of
110 said counties in the same manner as is now provided for holding school
111 elections, and the legal voters of said school district shall be entitled to
112 vote at such election the same as though such election was
113 held in the county where he resides. Whenever any changes as pro-
114 vided in this section, are made by the trustees of schools, if no appeal
115 is taken to the county superintendent, the clerk of the trustees shall make a
116 complete copy of the record of the action of the trustees, which copy shall
117 be certified by the president of the trustees and the clerk, who shall file the
118 same, together with a map of the township, showing the districts and an accu-
119 rate list of the taxpayers of the newly arranged districts with
120 the county clerk within twenty (20) days of the action of the
121 trustees. When the trustees of schools shall organize a new district under
122 the provisions of this section, it shall be the duty of the clerk of the trustees, if
123 no appeal is taken to the county superintendent, to order within fifteen (15) days
124 after the action of the trustees an election, to be held at some convenient time
125 and place within the boundaries of such newly organized district, for the election
126 of three (3) school directors, notice being given by the township treasurer,
127 who shall post up three (3) notices of such election in three (3) prominent
128 places in said district at least ten (10) days prior to the time appointed
129 for holding such election, which notices shall specify the place where such
130 election is to be held, the time for opening and closing the polls and the
131 object of said election. It shall be the duty of the legal voters present,
132 five (5) of whom shall constitute a quorum, to appoint three (3) of their
133 number, two (2) of whom shall act as judges and one (1) as clerk of said
134 election. Within ten (10) days after the election it shall be the duty of the
135 directors elected at said election to meet at some convenient time and
136 place, previously agreed upon by said directors, and organize as a district
137 board by appointing one (1) of their number president and also some
138 suitable person clerk of the board, who shall by virtue of his office be
139 clerk of the district. At the first meeting of the directors they shall

draw lots for their respective terms of office one (1), two (2) and three (3) years, each of which shall be considered a fractional term, ending at each annual meeting, according to the length of term drawn. When an appeal is taken from the action of the trustees to the county superintendent, the clerk of the trustees shall within five (5) days after the written notice of the appeal has been filed with him by the appellants, transmit all the papers in the case with a transcript of the records of the trustees, showing their action thereon to the county superintendent, and in case of an appeal, the township treasurer shall be required to take no further action in the matter, except upon the order of the county superintendent, whose duty it shall be to investigate the case upon such appeal, and if, in his opinion, the change asked for is for the best interests of the district or districts concerned, he shall make such change or changes, but if he considers the proposed change unadvisable, he shall refuse to make it and shall reverse, if need be, the action of the trustees, and shall give the clerk from whom he received the papers immediate notice of such refusal, and his action shall be final and binding. If the changes asked by the petitioners shall be made by the county superintendent, he shall notify in writing the clerk by whom the papers in the case were transmitted to him, of his action, and the clerk shall thereupon make a record of the same, and shall, within ten (10) days thereafter make a copy of the same and the map and list of taxpayers, and deliver them to the county clerk for filing and record by him, the same as if the change had been ordered by the trustees, and in case a new district is organized by the action of the county superintendent, the clerk shall, within (5) days thereafter, order an election of directors in the new district the same as if the change had been made by the board of trustees. Whenever a new district has been formed by the trustees or by the county superintendent, from a part of a district or from parts of two (2) or more districts, the trustees of the township or townships concerned shall proceed forthwith to make a distribution of any tax funds or other funds which are in the hands of

171 the treasurer, or to which the district may, at the time of such division
 172 be entitled, so that both the old and new districts shall receive part of
 173 such funds in proportion to the amount of taxes collected next preceding
 174 such division, from the taxable property in the territory composing the
 175 several districts. If the new district be composed of parts of two (2) or
 176 more districts, the trustees shall make distribution of said funds between
 177 the new district and the old districts respectively, so that the new district
 178 shall receive a distribution of the funds of each of the old districts
 179 in the proportion which the amount of taxes collected from the property in the
 180 territory of the new district bears to the whole taxes collected, next before the
 181 division, in the old district; and the town treasurer shall forthwith place the sum
 182 so distributed to the credit of the respective districts, and shall immediately
 183 place the proportion of the said funds to which said new district may be
 184 entitled to its credit on his books, and the funds on hand shall be subject at
 185 once to the order of the directors of the new district, and those not on
 186 hand, as soon as collected. The trustees of the township, or townships
 187 concerned, shall, at the time of the creation of a new district, or within the
 188 period of thirty (30) days thereafter, proceed to the appointment of three
 189 appraisers, who shall not be citizens of the township or townships interested.
 190 It shall be the duty of said appraisers, within thirty (30) days after their
 191 appointment, to appraise the school property, both real and personal, of the
 192 district or districts interested, at its fair cash value. Within thirty (30)
 193 days after such appraisement, the trustees of the township or townships
 194 concerned shall proceed to charge the property to the district in which it
 195 may be found, and to credit the other district interested therein with its
 196 proportion of such valuation: *Provided*, that the *bona fide* debts, if any, of
 197 the old district, shall first be deducted and the balance charged and credited
 198 as aforesaid, and of the funds then on hand, or subsequently to accrue,
 199 belonging to such district to which such property is charged, the trustees
 200 shall direct the treasurer to place to the credit of the district not retaining
 201 said property its proportion of the value of said property. If trustees shall

fail to observe the provisions of this section in reference to distribution of funds and property, they shall be individually and jointly liable to the district interested, in an action on the case, to the full amount of the damages sustained by the district aggrieved. Where trustees have heretofore failed to make distribution of property to districts, as provided in this section, any district interested in the making of such distribution may, by its directors, request the trustees, in writing, to proceed to make such distribution; and said trustees shall proceed to make distribution in the manner herein prescribed, and shall be liable in like manner for neglect or failure. The clerk of any board of trustees who shall fail, neglect or refuse to perform the duties imposed upon him by this section, or any of them, within the time and in the manner prescribed, shall for each offense, forfeit not less than ten dollars (\$10), nor more than twenty-five dollars (\$25) of his pay as clerk of the board of trustees and township treasurer, which forfeiture shall be enforced by the trustees. If any school district shall, for two (2) consecutive years, fail to maintain a public school, as required by law to do, it shall be the duty of the trustees of schools of the township or townships in which such district lies, to attach the territory of such district to one (1) or more adjoining school districts; and, in case said territory is added to two (2) or more districts, to divide the property of said district between the districts to which its territory is added, in the manner herein provided for the division of property in case a new district is organized from part of another district, and the action of the trustees in such a case shall be final and binding; and the clerk of the trustees in such cases shall file a copy of the record of the same, together with the map and list of tax-payers, with the county clerk, as in other cases of change of district boundaries. The majority of the legal voters of a district lying in two (2) or more townships may secure the dissolution of said district by petitioning the several boards of trustees of said township, at their regular meeting in April, that each will add the territory belonging to said district in its township to one (1) or more adjoining districts. Upon receipt of such petition, or returns

233 of such election, the several boards of trustees shall each make such dis-
234 position of the territory of said district as lies in its township, and shall
235 jointly make such division of the property of said district between the dis-
236 tricts to which its territory is attached, as is heretofore provided in the
237 case of the organization of a new district from a part of another district;
238 and the action of the trustees, in accordance with such petition or election,
239 shall be final and binding, and the clerks of the several boards of trustees
240 in such case shall file a copy of the record of the same, together with the
241 map and list of tax-payers with the county clerk, as in other cases of
242 change of district boundaries.

230 of such election, the several boards of trustees shall each make such dis-
231 position of the territory of said district as lies in its township, and shall
232 jointly make such division of the property of said district between the dis-
233 tricts to which its territory is attached, as is heretofore provided in the
234 case of the organization of a new district from a part of another district;
235 and the action of the trustees in accordance with such petition or election,
236 shall be final and binding, and the clerks of the several boards of trustees
237 in such case shall file a copy of the record of the same, together with the
238 map and list of tax-payers with the county clerk, as in other cases of
239 change of district boundaries.

1. Received from House May 6, 1887, and ordered to first reading.
2. First reading June 7, 1887, and ordered to second reading.

A BILL

For An Act to amend sections five and six of an act entitled "An Act to provide for the election and qualification of Justices of the Peace and Constables, and to provide for the jurisdiction and practice of Justices of the Peace in civil cases, and fix the duties of Constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections five (5) and six (6) of an act entitled "An Act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872, be amended to read as follows:*

8 "Section 5. That every justice of the peace, before entering upon the
9 duties of his office, shall execute and deliver to the county clerk of the
10 proper county, and within twenty days after his said election, a bond, to be
11 approved by said clerk, with two or more good and sufficient securities in the
12 sum of not less than \$2,000 nor more than \$10,000, conditioned that he will
13 justly and fairly account for and pay over all moneys that may come to his
14 hands under any judgment or otherwise, by virtue of said office, and that he
15 will well and truly perform every act and duty enjoined upon him by the
16 laws of this State, to the best of his skill and ability. Such bond shall be

17 made payable to the people of the State of Illinois, and shall be filed and
18 recorded in the office of the county clerk, in a book provided for that purpose
19 at the expense of the county, and said bond or record shall be held for the
20 security and benefit of all suitors and others who may be injured or aggrieved
21 by the official acts or misconduct of such justice of the peace. For all services
22 pertaining to the filing, approving and recording such bond and administering
23 the oath to such justice of the peace, the county clerk in all counties in this
24 State shall be entitled to a fee of one dollar to be paid by such justice of the
25 peace."

26 That section 6 be amended to read as follows:

27 "Section 6. Every constable before he shall enter upon the duties of his
28 office shall execute and deliver to the county clerk of the proper county,
29 within twenty days after his election, a bond, to be approved by said clerk,
30 with two or more good and sufficient securities, in the sum of not less than
31 \$2,000, and not exceeding \$10,000, conditioned that he will faithfully dis-
32 charge the duties of his office of constable, and that he will justly and fairly
33 account for and pay over all money that may come to his hands, under any
34 process or otherwise, by virtue of his office. The said bond shall be made
35 payable to the people of the State of Illinois, and shall be filed and recorded
36 in the office of the county clerk in a book provided for that purpose at the
37 expense of the county, and said bond or record shall be held for the security
38 and benefit of all suitors and others who may be injured or aggrieved by the
39 official acts or misconduct of such constable. For all services pertaining to
40 the filing, approving and recording such bond and administering the oath to
41 such constable, the county clerk in all counties in this State shall be entitled
42 to a fee of one dollar, to be paid by such constable."

- 1 Introduced by Mr. Rogers, February 4, 1887, and ordered to first reading.
- 2 First reading, February 4, 1887, and referred to Committee on Judiciary.
- 3 Reported back, February 25, passage recommended and ordered to second reading.

A BILL

For An Act to amend section 4 of an act entitled "An act to provide for organizing the names, for changing the place of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies, so as to enable a cemetery or religious corporation to change the time and manner of electing directors, and to allow the alumni to vote in the election of the trustees, or a part thereof," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That whenever the board of directors, managers or
3 trustees of any corporation existing by virtue of any general or special
4 law of this State, or any corporation hereafter organized by virtue of any
5 law of this State, may desire to change the name, to change the place of
6 business, to increase or decrease the capital stock, to increase or decrease
7 the number of directors, managers, or trustees, or to consolidate said
8 corporation with any other corporation now existing, or which may hereafter
9 be organized, they may call a special meeting of the stockholders of such
10 corporation, for the purpose of submitting to a vote of such stockholders the
11 question of such change of name, change of place of business, increase or
12 decrease of number of directors, managers or trustees, increase or decrease
13 of capital stock, or consolidation with some other corporation, as the case

14 may be, and further, that eleemosynary or religious corporations acting under
15 the general law or by virtue of special charter, are authorized to change the
16 time and manner of electing the trustees, and to allow the admin. of said
17 corporation to vote in the election of the trustees, or a part thereof. *Pro-*
18 *vided*, that in changing the name of any other corporation under the
19 provisions hereof, no name shall be assumed or adopted by any corporation
20 similar to, or liable to be mistaken for, the name of any other corporation
21 organized under the laws of this State without the consent of such other
22 corporation, and that in no case shall the capital stock be diminished to the
23 prejudice of the creditors of such corporation, or the number of directors,
24 managers or trustees, be reduced to less than five, or increased to more than
25 eleven; *And, provided further*, that no corporation shall, by virtue hereof,
26 change its place of business from any town, county or municipality, or
27 any of the inhabitants thereof, or any person or persons interested therein,
28 shall have donated or in any manner contributed any money or other valu-
29 able thing to induce such corporation to locate in such town, county or
30 municipality; *And, provided further*, that the provisions of this act, in
31 reference to the consolidation of corporations, shall only apply to corpora-
32 tions of the same kind and engaged in the same general business, and
33 carrying on business in the same vicinity, and that no more than two cor-
34 porations now existing shall be consolidated into one, under the provisions
35 hereof.

1. Introduced by Mr. Reavill, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and referred to Committee on Judiciary.
3. Reported back, February 25, passage recommended, and ordered to second reading.
4. Second reading March 24, 1887, amended and ordered to third reading.

A BILL

For An Act to amend section 1 of an act entitled, "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies, so as to enable ellemosynary or religious corporations to change the time and manner of electing directors, and to allow the alumni to vote in the election of the trustees, or a part thereof," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 1 of an act entitled "An act to provide
3 for changing the names, for changing the places of business, for increasing or
4 decreasing the capital stock, for increasing or decreasing the number of
5 directors, and for the consolidation of incorporated companies, so as to enable
6 ellemosynary or religious corporations to change the time and manner of
7 electing directors, and to allow the alumni to vote in the election of the
8 trustees, or a part thereof," approved and in force March 26, 1872, is hereby
9 amended so as to read as follows:

10 "Section 1. That whenever the board of directors, managers or trustees of
11 any corporation existing by virtue of any general or special law of this State,
12 or any corporation hereafter organized by the virtue of any law of this

13 State, may desire to change the name, to change the place of business, to
14 increase or decrease the capital stock, to increase or decrease the number
15 of directors, managers or trustees, or to consolidate said corporation with
16 any other corporation now existing, or which may hereafter be organized,
17 they may call a special meeting of the stockholders of such corporation, for the
18 purpose of submitting to a vote of such stockholders the question of such
19 change of name, change of place of business, increase or decrease of number
20 of directors, managers or trustees, increase or decrease of capital stock, or
21 consolidation with some other corporation, as the case may be, and further,
22 that eleemosynary or religious corporations for educational purposes, acting
23 under the general law or by virtue of special charter, are authorized to change
24 the time and manner of electing the trustees, and to allow the alumni of said
25 corporations to vote in the election of the trustees, or a part thereof: *Pro-*
26 *vided*, that in changing the name of any other corporation, under the
27 provisions hereof, no name shall be assumed or adopted by any corporation
28 similar to, or liable to be mistaken for the name of any other corporation
29 organized under the laws of this State, without the consent of such other
30 corporation; and that in no case shall the capital stock be diminished to the
31 prejudice of the creditors of such corporation, or the number of directors,
32 managers or trustees, be reduced to less than five, or increased to more than
33 eleven; *And provided further*, that no corporation shall, by virtue hereof,
34 change its place of business from any town, county or municipality, or any of
35 the inhabitants thereof, or any person or persons interested therein, shall
36 have donated or in any manner contributed any money or other valuable
37 thing to induce such corporation to locate in such town, county or
38 municipality: *And, provided further*, that the provisions of this act, in
39 reference to the consolidation of corporations, shall only apply to corporations
40 of the same kind and engaged in the same general business, and carrying on
41 their business in the same vicinity, and that no more than two corporations
42 now existing shall be consolidated into one, under the provisions hereof.

1. Introduced by Mr. Pierce, February 4, 1887, and ordered to first reading.
2. First reading February 4, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back February 25; passage recommended and ordered to second reading.

A BILL

For An Act to amend sections four and twenty-eight, and add sections fifty-two, fifty-three and fifty-four, to "An act to revise the law relating to liens," in force July 1, 1874.

§ 1. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, That section four and section twenty-eight of an act entitled "An act to revise the law relating to liens," in force July 1, 1874, be amended as follows, and that said act be further amended by adding thereto three additional sections, known as sections fifty-two, fifty-three and fifty-four, as hereinafter provided:

"Section 4. Every creditor or contractor who wishes to avail himself of the provisions of this act shall file with the clerk of the circuit court of the county in which the building, erection, or other improvement to be charged with the lien is situated, a just and true statement or account or demand due him, after allowing all credits, setting forth the times when such material was furnished or labor performed, and containing a correct description of the property to be charged with the lien, and verified by an affidavit. Any person having filed a claim for a lien, as provided in this section, may bring a suit at once to enforce the same by bill or petition in any court of competent jurisdiction in the county where the claim for a lien has been filed."

"Section 28. No creditor shall be allowed to enforce a lien created under the provisions of this act, as against or to the prejudice of any other creditor,

19 or incumbrance, or purchaser, unless a claim for a lien shall have been filed
20 with the clerk of the circuit court, as provided in section four of this act,
21 within four months after the last payment shall have become due and pay-
22 able. Suit shall be commenced within two years after filing such claim with
23 the clerk of the circuit court, or the lien shall be vacated."

24 "Section 52. Upon the written demand of the owner or his agent or any
25 person interested in said real estate, served on the person or his agent
26 claiming the lien, requiring suit to be commenced to enforce the lien, such
27 suit shall be commenced within thirty days thereafter or the lien shall be
28 forfeited."

29 "Section 53. The clerk of the circuit court where such lien shall be filed
30 shall endorse on every such claim for a lien filed, the date of filing, and make
31 an abstract thereof in a book kept for that purpose and properly indexed,
32 containing the name of the person filing the lien, the amount of the lien, the
33 date of filing, the name of the person against whom the lien is filed, and a
34 description of the property charged with the lien, and for which the person
35 filing the lien shall pay one dollar to the clerk.

36 "Section 54. Whenever a lien has been claimed by filing the same with
37 the clerk of the circuit court and is afterwards paid, the person filing the
38 same shall acknowledge satisfaction thereof in the proper book in such office
39 in writing, and on neglect to do so for ten days after the claim has been paid,
40 he shall forfeit to the owner the sum of twenty-five dollars."

1. Introduced by Mr. Humphrey, February 4, 1887, and ordered to first reading.
 2. First reading February 4, 1887, and referred to Committee on Fees and Salaries.
 3. Reported back March 25, passage recommended, and ordered to second reading.
-

A BILL

For An Act fixing the salary of the State's Attorney in counties of the third class, appointing assistants and requiring them to make semi-annual reports and pay all fees, fines, forfeitures and other emoluments of their office in excess of their salaries into the county treasury.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all counties of this State of the third class the State's Attorney shall be paid from the county treasury in addition to the salary which may be paid to him from the State Treasury such further compensation as will make his salary amount to the sum of \$7000 per annum, payable in quarterly installments, and he shall receive no other fees or perquisites from his office whatever.

§ 2. The State's Attorney in counties of the third class may appoint one or more assistants, if it shall be necessary, to properly perform all the duties of his office, the number of such assistants shall be determined by rule of the circuit court, and their salary shall be fixed by the county board.

§ 3. It shall be the duty of the State's Attorney in counties of the third class to keep a full, true minute and accurate account of all moneys received as fees, fines, forfeitures, and from all sources pertaining to his office showing the name of each person or persons paying such fees, fines or forfeitures, and the amount received from each person. He shall semi-annually, on or before the

6 first Monday in June, and on or before the first Monday in December, in each
7 year, under oath, make a report in writing, to the county board of his county,
8 showing in detail all moneys received from all sources pertaining to his office,
9 said county board shall carefully examine such report, and if found correct,
10 approve the same; and the State's Attorney shall pay the total amount of all
11 moneys received, as shown by such report when approved by the county board
12 into the county treasury.

§ 4. If any State's Attorney in counties of the third class fails to make his
2 report within thirty days from the time provided in this act, or fails to pay
3 the moneys received as fees, fines, forfeitures and other emoluments of his
4 office, into the county treasury after being ordered to do so by action of
5 the county board, or after demand has been made on him by the county
6 treasurer, he shall be suspended by the judge of the circuit court, and in Cook
7 county the judges who are then holding term in the criminal court, until
8 such report be made, and such moneys are paid into the county treasury, and
9 the county treasurer shall withhold all salary which may be due such State's
10 Attorney until he has complied with the provisions of this act.

§ 5. Any State's Attorney failing to make a report within three months
2 after the time required by this act, shall be removed from office by the circuit
3 court, and in Cook county the criminal court upon the application of the
4 county board aforesaid, and the vacancy caused thereby, shall be filled as is
5 provided by law.

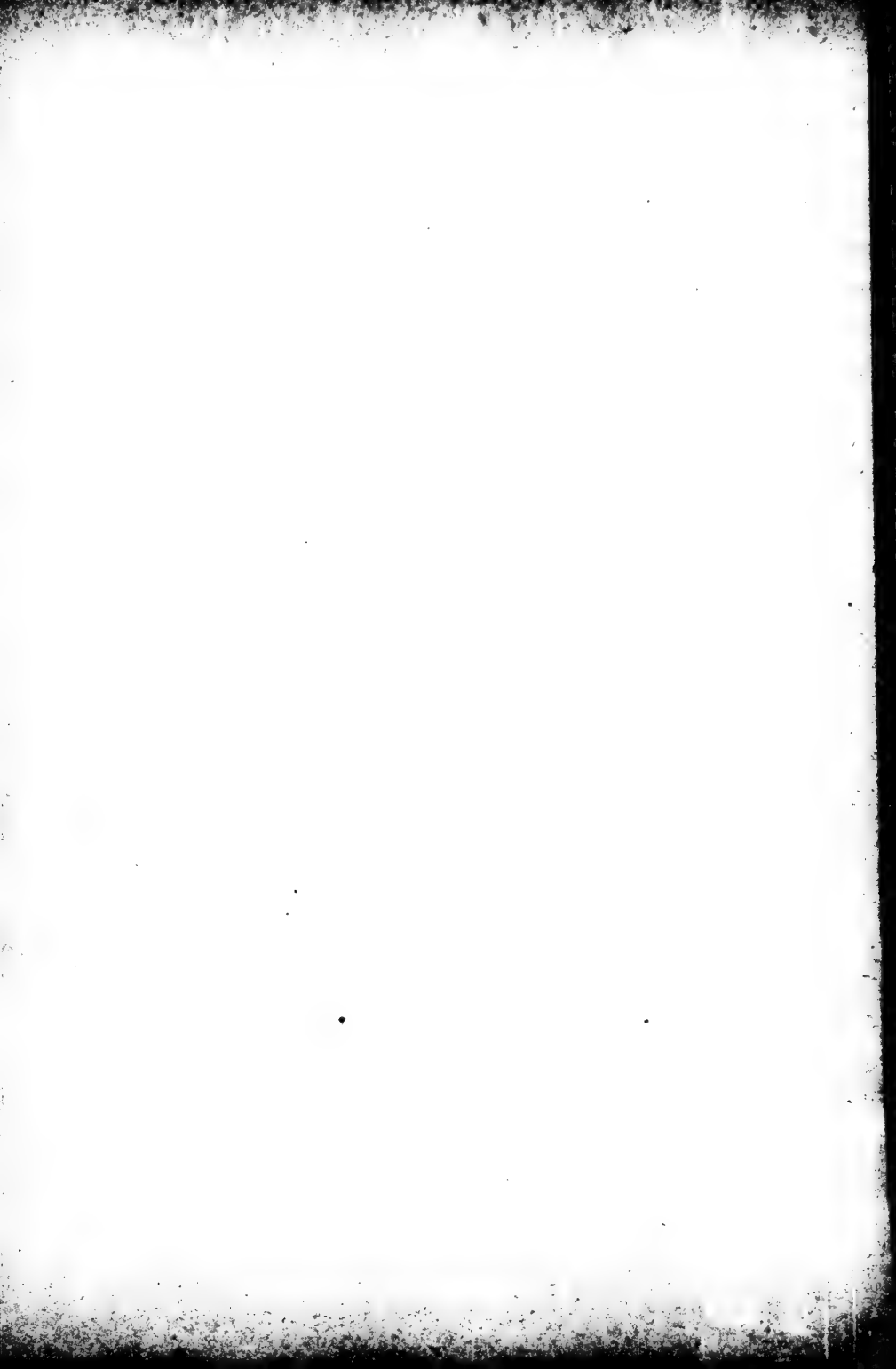
§ 6. All acts and parts of acts inconsistent and in conflict with this act, are
2 hereby repealed

1. Introduced by Mr. Gibbs, February 8, 1887, and ordered to second reading.
2. First reading February 8, 1887, and referred to Committee on Judicial Department.
3. Reported back, April 14, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend "An act to prevent pool-selling, book-making and registering of wagers."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any person, or agent of any corporation, who shall occupy any room or building, or any part or portion of any room or building, or occupy any place upon public or private grounds anywhere within this State, with apparatus, blackboards, books or paraphernalia for the purpose of recording or registering bets, or wagers of any kind, or of selling pools, and any person, or agent of any corporation, who shall record, or register bets, or wagers, of any kind, or sell pools, upon the result of any trial or test, of skill, speed or power of endurance, of man or beast, or upon the result of any political nomination, or appointment, or election, or being the owner, lessee or occupant of any such room, building, or part, or portion thereof, shall knowingly permit the same to be used or occupied for any of the purposes aforesaid, or shall therein keep, exhibit, use or employ any device or apparatus of any kind for the purpose of registering or recording such bets or wagers, or the selling of such pools, or shall become the custodian, or depositing for hire or reward of any money, property, or thing of value staked, wagered or pledged as aforesaid, upon any such result, such person, or agent, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by imprisonment in the county jail for a period of not more than one year, or by a fine not exceeding \$1,000, or by both such fine and such



49 that of the supervisors, and the constable's fees shall be the same as con-
50 stable fees for summoning a jury, and all of said fees of said members of
51 said commission, and constable fees shall be paid out of said funds as part
52 of the expenses."



48 held, if the same shall not have been delivered to those entitled to its care or
49 possession.

50 "Section 25. Attachment, how served—fees to be paid—by whom. Every
51 attachment issued, as provided for in section fifteen (15) of this act, may be
52 directed to the sheriff or any constable of the county in which the witness
53 resides, and shall be executed in the same manner as a warrant in a criminal
54 case, and the fees of the officer for issuing and serving the same shall be paid
55 by the person against whom the same shall have been issued, unless he show
56 reasonable cause for his omission to attend, in which case the costs shall be
57 fixed as in cases of attachment of witness in criminal cases.

58 "Section 26. Witness to be discharged, when—may be fined or imprisoned,
59 when. If any witnesses so attached shall show reasonable excuse for not
60 appearing, as required by the subpoena, he shall be discharged, either with or
61 without payment of the costs of the attachment at the discretion of the cor-
62 oner, but if he fail to show any good and sufficient reason for not attending,
63 he shall be fined in such sum as the coroner shall think reasonable to impose,
64 not exceeding ten dollars, and may be committed to the county jail until such
65 fine and costs are paid, in like manner as persons may be committed for the
66 non-payment of fine and costs in criminal cases, and any fine so imposed and
67 collected shall be paid into the school fund of the county in which the cor-
68 oner holds his position.

69 "Section 27. (Coroner to notify witnesses to appear, etc., when—notice as
70 valid as summons.) When an inquest shall be continued by the coroner, it
71 shall be his duty, forthwith, to call before him all witnesses summoned in the
72 case, and verbally notify such as may attend to appear before him, to testify
73 at the inquest on the day set for the continuance of the same, which verbal
74 notice shall be in all respects as valid as a summons, and the coroner shall
75 take note of the names of the witnesses so notified. No further summons
76 shall thereafter issue to any witness so notified, and such notification shall
77 have the same effect as an original summons, and may be the basis for an
78 attachment of the witness.

79 "Section 28. [Witness attached may be discharged on bail.] When a writ
80 of attachment, issued by the coroner, shall be executed, the officer may dis-
81 charge such witness on his entering into recognizance to the State of Illinois
82 with sufficient bond in the sum of one hundred dollars, with one or more
83 sureties signing the same. The officer executing the writ is hereby author-
84 ized to take the same, providing for the appearance and due attendance of such
85 witness, according to the command of such writ.

86 "Section 29. [Penalty for refusing to testify.] A person summoned as a
87 witness to appear before the coroner, and attending, who shall refuse to give
88 evidence, which may be lawfully required to be given by such person, on oath
89 or affirmation, may be committed to the county jail by the coroner, there to
90 remain without bail until he give such evidence or be discharged by due
91 course of law.

92 "Section 30. [Shall make, or cause to be made a *post-mortem*.] The cor-
93 oner shall, when necessary to ascertain the cause of death, at any inquisition,
94 make, or cause to be made, a *post-mortem* examination, at the expense of the
95 county: *Provided*, that if the coroner be not a physician or surgeon, he may
96 employ any reputable physician or surgeon to conduct such *post-mortem* exam-
97 ination.

98 "Section 31. [Floaters. If the dead body of any person be found floating
99 in any stream or body of water in this State, the coroner may, at the expense
100 of the county, cause the same to be brought to shore, and removed from
101 such stream or body of water."

48 held, if the same shall not have been delivered to those entitled to its care or
49 possession.

50 "Section 25. [Attachment, how served—fees to be paid—by whom.] Every
51 attachment issued, as provided for in section fifteen (15) of this act, may be
52 directed to the sheriff or any constable of the county in which the witness
53 resides, and shall be executed in the same manner as a warrant in a criminal
54 case, and the fees of the officer for issuing and serving the same shall be paid
54 by the person against whom the same shall have been issued, unless he show
56 reasonable cause for his omission to attend, in which case the costs shall be
57 fixed as in cases of attachment of witness in criminal cases.

58 "Section 26. [Witness to be discharged, when—may be fined or imprisoned,
59 when.] If any witnesses so attached shall show reasonable excuse for not
60 appearing, as required by the subpoena, he shall be discharged, either with or
61 without payment of the costs of the attachment at the discretion of the cor-
62 oner, but if he fail to show any good and sufficient reason for not attending,
63 he shall be fined in such sum as the coroner shall think reasonable to impose,
64 not exceeding ten dollars, and may be committed to the county jail until such
65 fine and costs are paid, in like manner as persons may be committed for the
66 non-payment of fine and costs in criminal cases, and any fine so imposed and
67 collected shall be paid into the school fund of the county in which the cor-
68 oner holds his position.

69 "Section 27. [Coroner to notify witnesses to appear, etc., when—notice as
70 valid as summons.] When an inquest shall be continued by the coroner, it
71 shall be his duty, forthwith, to call before him all witnesses summoned in the
72 case, and verbally notify such as may attend to appear before him, to testify
73 at the inquest on the day set for the continuance of the same, which verbal
74 notice shall be in all respects as valid as a summons, and the coroner shall
75 take note of the names of the witnesses so notified. No further summons
76 shall thereafter issue to any witness so notified, and such notification shall
77 have the same effect as an original summons, and may be the basis for an
78 attachment of the witness.

79 "Section 28. [Witness attached may be discharged on bail.] When a writ
80 of attachment, issued by the coroner, shall be executed, the officer may dis-
81 charge such witness on his entering into recognizance to the State of Illinois
82 with sufficient bond in the sum of one hundred dollars, with one or more
83 sureties signing the same. The officer executing the writ is hereby author-
84 ized to take the same, providing for the appearance and due attendance of such
85 witness, according to the command of such writ.

86 "Section 29. [Penalty for refusing to testify.] A person summoned as a
87 witness to appear before the coroner, and attending, who shall refuse to give
88 evidence, which may be lawfully required to be given by such person, on oath
89 or affirmation, may be committed to the county jail by the coroner, there to
90 remain without bail until he give such evidence or be discharged by due
91 course of law.

92 "Section 30. [Shall make, or cause to be made a *post-mortem*.] The cor-
93 oner shall, when necessary to ascertain the cause of death, at any inquisition,
94 make, or cause to be made, a *post-mortem* examination, at the expense of the
95 county: *Provided*, that if the coroner be not a physician or surgeon, he may
96 employ any reputable physician or surgeon to conduct such *post-mortem* exam-
97 ination.

98 "Section 31. [Floaters.] If the dead body of any person be found floating
99 in any stream or body of water in this State, the coroner may, at the expense
100 of the county, cause the same to be brought to shore, and removed from
101 such stream or body of water."

1. Introduced by Mr. Knopf, February 8, 1887, and ordered to first reading.
2. First reading February 8, 1887, and referred to Committee on Fees and Salaries.
3. Reported back March 25, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section twenty-six (26) of "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, and also to further amend said act by adding after section fifty (50) a section to be numbered section fifty 'a' (50 a.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section twenty-six (26) of "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows: And also to further amend said act by adding after section fifty (50) a section to be numbered section fifty 'a' (50 a.)

CORONER'S FEES.

"Section 26. For holding an inquest over a dead body, when required by law, in counties of the first and second class, ten dollars; in counties of the third class, five dollars: *Provided*, that in all counties where the coroner shall be necessarily employed more than one day in holding an inquest over a dead body, he shall be allowed five dollars per day for each additional day in taking such inquest.

For summoning a jury one dollar in all counties.

For making or causing to be made a *post mortem* examination not less

16 than ten dollars and not more than fifty dollars, as may be fixed by the
17 county board of each county.

18 For summoning each witness, twenty-five cents.

19 For taking each recognizance, and returning the same, fifty cents.

20 For issuing each attachment for a witness, 50 cents.

21 For mileage, when serving a summons or subpoena, five cents per mile each
22 way for actual distance traveled in making such service, the distance to be
23 computed from the place where the inquest is held to the residence of each
24 person served.

25 For burial expenses, in counties of first class, fifteen dollars; in counties
26 of second class, twelve dollars; in counties of third class, ten dollars.

27 For taking down the testimony at an inquest, ten cents for every one
28 hundred words, and twenty-five cents for certifying the same.

29 For bringing a dead body to shore that may be found floating in any
30 stream or body of water in this State, not less than two dollars.

31 All of which fees shall be certified by the court and paid out of the
32 treasury when the same cannot be collected out of the estate of the
33 deceased.

34 And whenever the coroner shall be required by law to perform any of
35 the duties appertaining to the office of sheriff, he shall be entitled to like
36 fees and compensation as shall be at the time being allowed by law to the
37 sheriff for the performance of similar services.

WITNESSES FEES.

38 "Section 50 a. Each witness testifying at a coroner's inquest, held over
39 a dead body in counties of the first and second class, shall receive the sum
40 of fifty cents per day, (if claimed at the inquest), payable out of the county
41 treasury, on the presentation of the coroner's certificate of such service.

48 held, if the same shall not have been delivered to those entitled to its care or
49 possession.

50 "Section 25. [Attachment, how served—fees to be paid—by whom.] Every
51 attachment issued, as provided for in section fifteen (15) of this act, may be
52 directed to the sheriff or any constable of the county in which the witness
53 resides, and shall be executed in the same manner as a warrant in a criminal
54 case, and the fees of the officer for issuing and serving the same shall be paid
54 by the person against whom the same shall have been issued, unless he show
56 reasonable cause for his omission to attend, in which case the costs shall be
57 fixed as in cases of attachment of witness in criminal cases.

58 "Section 26. [Witness to be discharged, when—may be fined or imprisoned,
59 when.] If any witnesses so attached shall show reasonable excuse for not
60 appearing, as required by the subpoena, he shall be discharged, either with or
61 without payment of the costs of the attachment at the discretion of the cor-
62 oner, but if he fail to show any good and sufficient reason for not attending,
63 he shall be fined in such sum as the coroner shall think reasonable to impose,
64 not exceeding ten dollars, and may be committed to the county jail until such
65 fine and costs are paid, in like manner as persons may be committed for the
66 non-payment of fine and costs in criminal cases, and any fine so imposed and
67 collected shall be paid into the school fund of the county in which the cor-
68 oner holds his position.

69 "Section 27. [Coroner to notify witnesses to appear, etc., when—notice as
70 valid as summons.] When an inquest shall be continued by the coroner, it
71 shall be his duty, forthwith, to call before him all witnesses summoned in the
72 case, and verbally notify such as may attend to appear before him, to testify
73 at the inquest on the day set for the continuance of the same, which verbal
74 notice shall be in all respects as valid as a summons, and the coroner shall
75 take note of the names of the witnesses so notified. No further summons
76 shall thereafter issue to any witness so notified, and such notification shall
77 have the same effect as an original summons, and may be the basis for an
78 attachment of the witness.

79 "Section 28. [Witness attached may be discharged on bail.] When a writ
80 of attachment, issued by the coroner, shall be executed, the officer may dis-
81 charge such witness on his entering into recognizance to the State of Illinois
82 with sufficient bond in the sum of one hundred dollars, with one or more
83 sureties signing the same. The officer executing the writ is hereby author-
84 ized to take the same, providing for the appearance and due attendance of such
85 witness, according to the command of such writ.

86 "Section 29. [Penalty for refusing to testify.] A person summoned as a
87 witness to appear before the coroner, and attending, who shall refuse to give
88 evidence, which may be lawfully required to be given by such person, on oath
89 or affirmation, may be committed to the county jail by the coroner, there to
90 remain without bail until he give such evidence or be discharged by due
91 course of law.

92 "Section 30. [Shall make, or cause to be made a *post-mortem*.] The cor-
93 oner shall, when necessary to ascertain the cause of death, at any inquisition,
94 make, or cause to be made, a *post-mortem* examination, at the expense of the
95 county: *Provided*, that if the coroner be not a physician or surgeon, he may
96 employ any reputable physician or surgeon to conduct such *post-mortem* exam-
97 ination.

98 "Section 31. [Floaters.] If the dead body of any person be found floating
99 in any stream or body of water in this State, the coroner may, at the expense
100 of the county, cause the same to be brought to shore, and removed from
101 such stream or body of water."

1. Introduced by Mr. Cochran, February 8, 1887, and ordered to first reading.
2. First reading February 8, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back March 24, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the attendance of Teachers upon Teachers' Institutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the time, not exceeding three days in any one term, or five days in any one year during term time, actually spent by a teacher of any public school in the State in attendance upon a teachers' institute, held under the direction of the Superintendent of Public Instruction, shall be considered time lawfully expended by such teacher in the service of the district where such teacher is employed, and no deduction of wages shall be made for such absence. And it shall be the duty of the school officers and boards of education to allow teachers to close their school for such attendance upon such institute.

1. Introduced by Mr. Cochran, February 8, 1887, and ordered to first reading.
2. First reading February 8, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back March 3, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to encourage the planting of Trees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the Governor shall annually, in the spring,
3 designate by official proclamation a day to be designated as "Arbor Day,"
4 to be observed throughout the State as a day for planting trees, shrubs
5 and vines about the homes and along highways and about public grounds within
6 this State, thus contributing to the wealth, comforts and attractions of our
7 State.

1. Introduced by Mr. Johnson, February 9, 1887, and ordered to first reading.
2. First reading February 9, 1887, and referred to Committee on Judiciary.
3. Reported back March 9, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend the Practice Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section forty-two (42) of an act entitled "An
3 act in regard to practice in courts of record," in force July 1, 1872, be amended
4 to read as follows, ~~to-wit~~:
5 "Section 42. In all cases, in any court of record in this State, if both
6 parties shall agree, both matters of law and fact may be tried by the court,
7 and this shall apply to criminal and civil suits alike."

1. Received from House April 9, 1887, and ordered to first reading.
2. First reading April 22, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 3 of an act concerning bail in civil cases, approved
January 22, 1887, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section three (3) of the above entitled act be*
3 *and the same is hereby amended so as to read as follows:*
4 "Section 3. The judge or officer ordering the issuing of such *capias* shall
5 require bond of the plaintiff in such penal sum as such judge or officer may
6 think reasonable, considering the circumstances of the case, with security to
7 be approved by the clerk issuing the writ, conditioned that the plaintiff shall
8 prosecute the *capias* with effect and without delay, and pay the defendant all
9 costs and damages that may be sustained by the wrongful suing out of such
10 *capias*, and no *capias* shall issue until such bond is approved and filed by such
11 clerk."



1. Received from House May 25, 1887, and ordered to first reading.
2. First reading May 25, 1887, and ordered to first reading without reference.

A BILL

For An Act to provide for appeals from interlocutory orders granting injunctions or appointing receivers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That whenever an interlocutory order or decree is
3 entered in any suit pending in any court of this State, granting an injunction
4 or overruling a motion to dissolve the same, or enlarging the scope of an in-
5 junction order, or appointing a receiver, or giving other or further powers or
6 property to a receiver already appointed, an appeal may be taken from such
7 interlocutory order or decree to the Appellate Court of the district wherein is
8 situated the court granting such interlocutory order or decree: *Provided, that*
9 such appeal is taken within thirty days from the entry of such interlocutory
10 order or decree and is perfected in said Appellate Court within sixty days
11 from the entry of such order or decree. The force and effect of such interlo-
12 cutory order or decree and the proceedings in the court below shall not be
13 stayed during the pendency of such appeal, and the party taking such appeal
14 shall give bond, to be approved by the clerk of the court below, to secure
15 costs in the Appellate Court. Upon filing of the record in the Appellate
16 Court the same shall there be at once docketed, and shall be ready for hear-
17 ing under the rules of said court, taking precedence of other causes in said
18 court. Upon such appeal the Appellate Court may affirm, modify or reverse
19 such interlocutory order or decree, and shall direct such proceedings to be had
20 in the court below as the justice of the peace may require. If such appeal is

1. Introduced by Mr. Washburn, February 9, 1887, and ordered to first reading.
2. First reading, February 9, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8 with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections six (6) and fourteen (14) of an act entitled, "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*

2 *in the General Assembly,* That sections six (6) and fourteen (14) of an act
3 entitled, "An act to extend the jurisdiction of county courts and to provide
4 for the practice thereof, to fix the time for holding the same and to repeal
5 an act therein named," approved March 26, 1874, and in force July 1, 1874,
6 be and the same are hereby amended to read as follows, to-wit:
7 "Section 6. The terms of county courts for all probate business shall
8 commence on the first Monday of each month and end on the last day of
9 each month, excepting, that when the last day of any month falls on
10 Sunday, such term shall end on the preceding day; and such courts shall be
11 always open during such terms for the transaction of all probate business
12 and for hearing applications for the discharge of insolvent debtors from
13 arrest or imprisonment, and all matters cognizable at such probate terms
14 shall also be cognizable at the law terms of such courts: *Provided, that the*
15 *law terms of such courts may continue under the designation of the month in*

16 which they shall begin so long as may be necessary for the disposition of
17 pending business, but shall in no manner interfere with the next succeeding
18 probate terms.
19 "Section 14. Bureau on the first Mondays of January, June and October in
20 each year."

AMENDMENTS TO SENATE BILL NO. 226.

- 15 Amend, by striking out in line 2 of written bill the words, "and fourteen (14)."
16 Also, strike out, in section one (1), in line thirteen of the written bill the
17 words, "and fourteen (14)."
18 Also, strike out the last two lines of the bill, being section fourteen thereof.

1. Received from House May 31, 1887, and ordered to first reading.
2. First reading May 31, 1887, and ordered to second reading without reference.

•

A BILL

For An Act to amend section 22, article 2, of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section twenty-two, article two, of an act*
3 *entitled an act regulating the holding of elections and declaring the result*
4 *thereof in cities, villages and incorporated towns in this State, approved June*
5 *19, 1885, in force July 1, 1885, be amended so as to read as follows:*
6 "Section 22. That the days upon which the general, State or county or
7 city elections shall hereafter be held in such city, village or incorporated
8 town, shall be holidays, and shall for all purposes whatsoever as regards the
9 presenting for payment or acceptance, and of the protesting and giving notice
10 of the dishonor of bills of exchange, bank checks, or promissory notes, and as
11 regards days of grace upon commercial paper, to be treated and considered as
12 is the first day of the week, commonly called Sunday; and any individual,
13 company or corporation, compelling any employe to work on said election day
14 so that such employe is, or may be, deprived of ample opportunity to vote,
15 shall, for each offense, forfeit one hundred dollars, to be recovered in an action
16 of debt in the name of the people of the State of Illinois, or by any person
17 who may sue for the same."



1. Introduced by Mr. Knopf, February 9, 1887, and ordered to first reading.
3. First reading February 9, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 25, passage recommended, and ordered to second reading.

A BILL

For An Act to prevent gambling in stocks, bonds, petroleum, cotton, grain, provisions, or other produce.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That it shall be unlawful for any corporation, asso-
3 ciation, co-partnership or person to keep or cause to be kept within this State
4 any office, store, or other place, wherein is conducted or permitted the pre-
5 tended buying or selling of the shares of stocks or bonds of any corporation,
6 or petroleum, cotton, grain, provisions or other produce, either on margins or
7 otherwise, without any intention of receiving and paying for the property so
8 bought, or of delivering the property so sold; or wherein is conducted or per-
9 mitted the pretended buying or selling of such property on margins, when the
10 party selling the same or offering to sell the same does not have the property
11 on hand to deliver on such sale; or when the party buying any of such prop-
12 erty, or offering to buy the same, does not intend actually to receive the
13 same if purchased or to deliver the same if sold; and the keeping of all such
14 places is hereby prohibited. And any person, whether acting individually, or
15 as a member, or as an officer, agent, or employe of any corporation, associa-
16 tion, or co partnership, who shall be guilty of violating this section, shall, upon
17 conviction hereof, be fined in any sum not less than \$200 and not more than
18 \$500, and any person or persons who shall be guilty of a second offense under

19 this section, in addition to the penalty above prescribed, shall upon conviction
20 be imprisoned in the county jail for the period of six months.

§ 2. All purchases and sales or contracts and agreements for the purchase
2 and sale of any of the property aforesaid in manner aforesaid, and all offers
3 to sell the same or to purchase the same in manner aforesaid, as well as all
4 transactions in stocks, bonds, petroleum, cotton, grains and provisions in the
5 manner aforesaid on margins for future or optional delivery, are hereby
6 declared gambling and criminal acts, whether the person buying or selling, or
7 offering to buy or sell, acts for himself or as an agent or broker for any firm,
8 company, corporation, association or broker's office, and any person who shall
9 be guilty of violating the provisions of this section, upon conviction thereof,
10 shall be fined in any sum not less than \$100 nor more than \$500 for each
11 offense.

§ 3. It shall not be necessary, in order to commit the offense defined in
2 section 2 of this act above cited, that both the buyer and seller shall agree
3 to do any of the acts above prohibited, but the said crime shall be complete
4 against any corporation, association, co-partnership or person thus pretending
5 or offering to sell, or thus pretending or offering to buy, whether the offer to
6 sell or buy is accepted or not; and any corporation, association, co-partner-
7 ship or person who shall communicate, receive, exhibit, or display, in any
8 manner, any such offer to so buy or sell, or any statements or quotations
9 of the prices of any such property, with a view to any such transaction as
10 aforesaid, shall, for each offense, be deemed and held to be an accessory
11 thereto, and upon conviction thereof shall be fined the same as the principal;
12 and any such corporation, association, co-partnership or person permitting
12 any such communication, reception, exhibit, or display, shall for every such
13 offense forfeit to the common school fund the sum of \$500, to be col-
14 lected in a civil action instituted by the prosecuting attorney of the county
16 wherein such offense occurs or is permitted to occur.

§ 4. It shall be the duty of every commission merchant, co-partnership,
2 association, corporation, or broker doing business as such to furnish, upon

3 demand, to any customer or principal for whom such commission merchant,
4 broker, co-partnership, corporation or association has executed any order for
5 the actual purchase or sale of any of the commodities hereinbefore men-
6 tioned, either for immediate or future delivery, a written statement contain-
7 ing the names of the parties from whom any such property was bought,
8 or to whom it shall have been sold, as the case may be, the time when,
9 the place where, and the price at which the same was either bought or
10 sold; and in case such commission merchant, broker, co-partnership, corpo-
11 ration, or association shall refuse promptly to furnish such statement upon
12 reasonable demand, the fact of such refusal shall be *prima facie* evidence
13 that such property was not sold or bought in a legitimate manner upon
14 the open market.

§ 5. Whoever knowingly permits any of the gambling acts aforesaid in
2 his building, house, or in any out house, booth, arbor or erection of which
3 he has the care or possession, shall be fined not less than \$500 nor more
4 than \$1000, and any penalty so adjudged shall be a lien upon the prem-
5 ises on or in which such unlawful acts are carried on or permitted. It
6 is the intention of this act to prevent, punish and prohibit within this
7 State the business now engaged in and conducted in places commonly
8 known and designated as bucket-shops, and also to include the practice now
9 commonly known as bucket-shopping by persons, corporations, associations,
10 or co-partnerships who ostensibly carry on the business or occupation of
11 commission merchants or brokers in grain, provisions, petroleum, stocks and
12 bonds. And it shall be the duty, under this act, of all the judges of the
13 several circuit courts in this state, and of the judges of the criminal court
14 of Cook county, at every regular term thereof, to charge all regularly
15 empanelled grand juries to make due investigation and report upon all
16 violations of the provisions of this act.

1. Introduced by Mr. Stephenson, February 9, 1887, and ordered to first reading.
2. First reading February 9, 1887, and referred to Committee on Municipalities.
3. Reported back March 17, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 89 of an act to provide for the Incorporation of
Cities and Villages

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section 89 of "An act to provide for the incor-
3 poration of cities and villages" be amended so as to read as follows:
4 "Section 89. The city council of cities and board of trustees in villages,
5 shall within the first quarter of each fiscal year pass an ordinance to be
6 termed the annual appropriation bill, in which such corporate authorities may
7 appropriate such sum or sums of money as may be deemed necessary to defray
8 all necessary expenses and liabilities of such corporation, and in such ordinance
9 shall specify the objects and purposes for which such appropriations are made
10 and the amount appropriated for each object or purpose. No further appropri-
11 ations shall be made at any other time within such fiscal year unless the prop-
12 osition to make such appropriation has been first sanctioned by a majority of
13 the legal voters of such city or village, either by a petition signed by them or
14 at a general or special election duly called therefor: *Provided,* that in cities
15 and villages of less than 5,000 inhabitants the officers shall not be required to
16 specify the objects and purposes for which said appropriations are made, and
17 provided further, that any negligence or failure on the part of the officers to
18 make such levy at the proper time shall not invalidate any levy afterwards
19 made to pay the necessary current expenses of said city or villages."

1. Received from House March 23, 1887, and ordered to first reading.
2. April 21, 1887, referred to Committee on Education and Educational Institutions.
3. Reported back April 28, 1887, without recommendation, read a first time and ordered to second reading.

A BILL

For An Act to repeal an act entitled "An act to create a certain School District therein named."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), two (2), three (3) and four (4) of an act entitled "An act to create a certain school district therein named," in force from and after its passage, and approved February 14, 1859, whereby section numbered six (6), in township 3 south, range 8 west, and section 31, in township 2 south, range 9 west, and section number 1, in township number 3 south, range 9 west, and section number 36, in township 2 south, range 9 west of the third principal meridian, were thereby created a school district with all rights and privileges which other districts under the school laws of this State may exercise and possess, be and are hereby repealed.

§ 2. Whereas, an emergency exists, therefore this act shall take effect and be in force from and after its passage.



1. Introduced by Mr. Lemon, February 10, 1887, and ordered to first reading.
 2. First reading February 10, 1887, and referred to Committee on Appropriations.
 3. Reported back March 30, with amendments, passage recommended, and ordered to second reading.
-

A BILL

For An Act making an appropriation to pay for furnishing the rooms occupied by the Appellate Court of the First District of Illinois.

WHEREAS, The Thirty-fourth General Assembly by joint resolution directed the appointment of a committee of five (5) persons, three (3) from the House and two (2) from the Senate and empowered said committee to procure for the use of the judge of said court suitable rooms or apartments in which to hold the sessions of their court, and for library and clerk's office, and to provide and furnish the same with all necessary furniture, carpets, etcetera, for the use, convenience and accommodation of the judges thereof and the people of the district in the transaction of the business of said court; and,

WHEREAS, All the furnishing and furniture of said rooms was supplied by the Phoenix Furniture Company, of Grand Rapids, Michigan, and the same have been in use since the month of August, 1885; and

WHEREAS, The amount of the bill of the Phoenix Furniture Company for said furnishing and furniture amounted to the sum of thirteen thousand five hundred and ninety-two dollars and three cents (\$13,592 03); and

WHEREAS, Said bill has been approved by the judges and clerk of said court and by the committee appointed under said joint resolution; and

WHEREAS, No appropriation was made by the Thirty-fourth General Assembly to pay for said furnishing and furniture and the Phoenix Furniture Company

19 has received no pay on its account, except the sum of fifteen hundred
 20 dollars which was paid out of the appropriation for the current expenses of
 21 the Appellate court for the First District; and

22 WHEREAS, There is now due the Phoenix Furniture Company on account
 23 of said furnishing and furniture the sum of twelve thousand and ninety-two
 23 dollars and three cents; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
 2 *in the General Assembly,* That the sum of twelve thousand and ninety-two
 3 dollars and three cents (\$12,092 03) be and the same is hereby appropriated
 4 for the payment of said account.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his
 2 warrant upon the State Treasurer for the money herein appropriated.

AMENDMENTS PROPOSED BY COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 203.

Amend line 12 page 2 by striking out the words "twelve thousand" and
 2 insert the words "eleven thousand seven hundred" in lieu thereof.

3 Also amend line 13 page 2, by striking out the figures "\$12,092 03" and
 4 insert the figures "11,792 03" in lieu thereof.

1. Introduced by Mr. J. Leman, February 10, 1887, and ordered to first reading.
2. First reading February 10, 1887, and referred to Committee on Appropriations.
3. Reported back March 30, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 7, 1887, amended, and ordered to third reading.

A BILL

For An Act making an appropriation to pay for furnishing the rooms occupied by the Appellate Court of the First District of Illinois.

WHEREAS, The Thirty-fourth General Assembly by joint resolution directed the appointment of a committee of five (5) persons, three (3) from the House and two (2) from the Senate and empowered said committee to procure for the use of the judge of said court suitable rooms or apartments in which to hold the sessions of their court, and for library and clerk's office, and to provide and furnish the same with all necessary furniture, carpets, etcetera, for the use, convenience and accommodation of the judges thereof and the people of the district in the transaction of the business of said court; and,

WHEREAS, All the furnishing and furniture of said rooms were supplied by the Phoenix Furniture Company, of Grand Rapids, Michigan, and the same have been in use since the month of August, 1885; and

WHEREAS, The amount of the bill of the Phoenix Furniture Company for said furnishing and furniture amounted to the sum of thirteen thousand five hundred and ninety-two dollars and three cents (\$13,592 03); and

WHEREAS, Said bill has been approved by the judges and clerk of said court and by the committee appointed under said joint resolution; and

17 WHEREAS, No appropriation was made by the Thirty-fourth General Assembly
18 to pay for said furnishing and furniture and the Phoenix Furniture Company
19 has received no pay on its account, except the sum of fifteen hundred
20 dollars which was paid out of the appropriation for the current expenses of
21 the Appellate court for the First District; and

22 WHEREAS, There is now due the Phoenix Furniture Company on account
23 of said furnishing and furniture the sum of eleven thousand and seven hun-
24 dred and ninety-two dollars and three cents; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the sum of eleven thousand and seven hun-
3 dred and ninety-two dollars and three cents (\$11,792 03) be and the same
4 is hereby appropriated to the payment of said account.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his
2 warrant upon the State Treasurer for the money herein **appropriated**.

- 1 Introduced by Mr. Hadley, February 10, 1887, and ordered to first
reading.
- 2 First reading February 10, 1887, and referred to Committee on Appro-
priations.
- 3 Reported back February 17, passage recommended, and ordered to
second reading.

A BILL

For An Act for the relief of Manual H. Boals of Alton, Illinois.

WHEREAS, Manual H. Boals did furnish materials which were actually used
2 in the construction of the Asylum for Feeble Minded Children, at Lincoln,
3 Illinois, to the amount of three thousand four hundred and thirty-three dollars
4 and forty-six cents, (\$3,433.46), which sum has been due and owing said Boals
5 since the 10th day of April, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the sum of five thousand four hundred and
3 ninety-three dollars and fifty three cents be appropriated for the purpose of
4 paying said claim with interest at the rate of six per cent. per annum, out
5 of any money in the treasury not otherwise appropriated, and that the
6 Auditor of Public Accounts be and he is hereby directed to draw his warrant
7 on the State Treasurer, in favor of said Manual H. Boals for said sum, and
8 take said Boals' receipt in full for all claims against the State for said ma-
9 terials so furnished.

-
- Introduced by Mr. Eckhart, February 10, 1887, and ordered to first reading.
2. First reading February 10, 1887, and referred to Committee on Municipalities.
3. Reported back March 25, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section two (2), of article three (3), of an act entitled "An act to provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section two (2), of article three (3), of an act
3 entitled "An act to provide for the Incorporation of Cities and Villages,"
4 approved April 10, 1872, in force July 1, 1872, be and the same is hereby
5 amended so as to read as follows:

6 30. Number of Aldermen. § 2. The number of aldermen, when not
7 elected by the minority representation plan, shall be as follows: In cities not
8 exceeding three thousand inhabitants, six aldermen; exceeding three thousand
9 but not exceeding five thousand, eight aldermen; exceeding four thousand
10 and not exceeding ten thousand, ten aldermen; exceeding ten thousand and
11 not exceeding thirty thousand, fourteen alderman; and two additional alder-
12 men for every twenty thousand inhabitants over thirty thousand: *Provided,*
13 *however,* that in cities of over 350,000 inhabitants, there shall be elected forty-
14 eight aldermen, and no more, unless additional territory shall be annexed to
15 such city after such city shall have been divided into wards on the basis of
16 forty-eight aldermen: in which case, and as often as new territory shall be
17 annexed to such city as aforesaid, containing, or which shall afterwards con-

tain, fifteen thousand inhabitants or more, the city council of such city may authorize the legal voters of such newly annexed territory to elect two aldermen, who shall be additional to said forty-eight aldermen, and who shall possess all the qualifications of and be elected at the times and in the manner provided in the said act of which this is an amendment, and may designate said new territory as a ward of said city. *Provided, further,* that whenever, after such new territory shall have been annexed as aforesaid, said city shall be re-districted, the city council thereof may, in its discretion, change the boundary between such new ward and the original territory of the city, and make said new ward larger or smaller to comply with the requirements of said act as to compactness, and equality of inhabitants or voters.

30]. § 24. Division of city compulsory. If it shall appear, from any census heretofore or hereafter taken, that any city has the requisite number of inhabitants to authorize it to increase the number of aldermen, it shall be the duty of the city council thereof to proceed without delay and re-district such city in accordance with the provisions hereof and to call and hold its next city election in accordance with such new re-districting: *Provided,* that at such election, the aldermen who hold over, shall be considered aldermen for the new wards respectively in which their residence shall be.

1. Introduced by Mr. Eckhart, February 10, 1887, and ordered to first reading.
2. First reading February 10, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back April 1, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to insure the better protection of life and property from steam boiler explosions.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the city council in cities, and the president*
3 *and board of trustees in towns and villages, shall have power to adopt*
4 *ordinances within their respective limits to provide for the examination, tax-*
5 *ation, licensing and regulation of persons having charge of steam boilers*
6 *under steam pressure, exhausting through an engine, to fix the amount, terms*
7 *and manner of issuing and revoking licenses to such persons; to provide*
8 *that it shall not be lawful for any person to exercise, within the limits of*
9 *the respective cities, towns and villages which may adopt such ordinances*
10 *the business of operating steam boilers, under steam pressure, exhausting,*
11 *through an engine, without a license; and to provide that any person violat-*
12 *ing the provisions of such ordinances shall be liable to a penalty for each*
13 *breach thereof.*

§ 2. To require that all persons engaged in such occupation within
2 the jurisdiction of such towns, cities and villages so adopting such
3 ordinances, shall submit to an examination by a competent board of
4 examiners to be appointed by such councils and boards of trustees, touching
5 their competency and qualifications in regard to such vocations, with power
6 to such board of examiners to license such persons as may be found capable
7 and trustworthy in that behalf.

1. Introduced by Mr. Stephenson, February 10, 1887, and ordered to first reading.
2. First reading February 10, 1887, and referred to Committee on Judiciary.
3. Reported back March 9, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eight (8), of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section eight (8) of an act entitled "An act
3 to revise the law in relation to mortgages of real and personal property,"
4 approved March 26, 1874, in force July 1, 1874, be amended so as to read
5 as follows,

6 "Section 8. Every mortgagee of real or personal property, his assignee
7 or other legal representative of record having received full satisfaction and
8 payment of all such sum or sums of money as are really due from the
9 mortgagor, shall, at the request of the mortgagor, his heirs, legal repre-
10 sentatives or assigns, enter satisfaction upon the margin of the record of
11 such mortgages in the recorder's office, or shall enter satisfaction upon the
12 face of the original mortgages, which said satisfaction shall be entered by the
13 recorder on the face of the record of the original mortgage, either of which
14 said releases shall forever thereafter discharge and release the same, and
15 shall bar all actions or suits brought or to be brought thereupon. All releases
16 of mortgages and deeds of trust which have heretofore been made in accord-
17 ance with the provisions of this section shall be held legal and valid, and

18 have the same force and effect as if made under the provisions of this
19 act."

AMENDMENTS TO SENATE BILL No. 240, PROPOSED BY COMMITTEE
ON JUDICIARY.

Amend section 8 by erasing all in said section after the figure "8" and
2 before the word "all" in line eight from the end of the bill, and insert
3 in lieu thereof the following:

4 "Every mortgagee of real or personal property, his assignee or other legal
5 representative of record having received full satisfaction and payment of all
6 such sum or sums of money as are really secured by said mortgage, shall at
7 the request of the mortgagor, his heirs, legal representatives or assigns,
8 enter satisfaction upon the margin of the record of such mortgage in the
9 recorder's office, under seal, properly attested by the recorder; or shall
10 record the satisfaction of the same, under seal, properly acknowledged
11 upon the face of the original mortgage, which said record of satisfaction
12 shall be entered by the recorder on the face of the record of the original
13 mortgage, either of which said releases shall forever thereafter discharge
14 and release the same and shall bar all actions or suits brought or to be
15 brought thereupon."

1. Introduced by Mr. Stephenson, February 10, 1887, and ordered to first reading.
2. First reading February 10, 1887, and referred to Committee on Judiciary.
3. Reported back March 9, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 9, 1887, amended and ordered to third reading.

A BILL

For An Act to amend section eight (8) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section eight (8) of an act entitled "An act
3 to revise the law in relation to mortgages of real and personal property,"
4 approved March 26, 1874, in force July 1, 1874, be amended so as to read
5 as follows:

6 "Section 8. Every mortgagee of real or personal property, his assignee or
7 other legal representative or record having received full satisfaction and pay-
8 ment of all such sum or sums of money as are really secured by said
9 mortgage, shall at the request of the mortgagor, his heirs, legal representa-
10 tives or assigns, enter satisfaction upon the margin of the record of such
11 mortgage in the recorder's office, under seal, properly attested by the recorder;
12 or shall record the satisfaction of the same, under seal, properly acknowledged
13 upon the face of the original mortgage, which said record of satisfaction shall
14 be entered by the recorder on the face of the record of the original mortgage,
15 either of which said releases shall forever thereafter discharge and release the
16 same and shall bar all actions or suits brought or to be brought thereupon.

17 All releases of mortgages and deeds of trust which have heretofore been made
18 in accordance with the provisions of this section shall be held legal and valid
19 and have the same force and effect as if made under the provisions of this
20 act."

1. Introduced by Mr. Curtiss, February 11, 1887, and ordered to first reading.
2. First reading February 11, 1887.
3. Ordered to second reading February 11, 1887.

A BILL

For An Act to make an appropriation to pay the amount due upon a certain Five Hundred Dollar State Bond, of a class known as "New Internal Improvement Interest Stock," payable after 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of eleven hundred and forty-five dollars (\$1,145) be and the same is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, for the purpose of paying a State Bond of the denomination of five hundred dollars (\$500), and of the class of State bonds known as "New Internal Improvement Interest Stock," payable after 1877, and interest on the same from July 1, 1857 to January 1, 1879.

§ 2. That the Auditor of Public Accounts be and hereby is authorized and directed to draw his warrant upon the State Treasurer for said sum of eleven hundred and forty five dollars (\$1,145), payable to the legal holder of said Bond upon presentation of the same for payment and cancellation.

§ 3. That whereas, there is no appropriation with which to pay said bond, and as said bond has been presented for payment, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Humphrey, February 11, 1887, and ordered to first reading.
2. First reading February 11, 1887, and referred to Committee on Judicial Department.
3. Reported back February 25, 1887, recommended to not pass. Report not concurred in, and ordered to second reading.

A BILL

For An Act to amend section 2 of an act entitled "An act to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved May 24, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 2 of an act entitled "An act to
3 exempt certain personal property from attachment and sale on execution,
4 and from distress for rent," approved May 24, 1877, in force July 1, 1877,
5 be and the same is hereby amended so as to read as follows:

6 "Section 2. Whenever any debtor against whom an execution, writ of
7 attachment or distress warrant has been issued, desires to avail himself or
8 herself of the benefit of this act, he or she shall make a schedule of all
9 of his or her personal property of every kind and character, including
10 money on hand and debts due and owing to the debtor, and deliver the
11 same to the officer having the execution, writ of attachment, or distress
12 warrant, which said schedule shall be subscribed and sworn to by the
13 debtor, and any property owned by the debtor and not included in said
14 schedule, shall not be exempt as aforesaid. And thereupon the officer
15 having the execution, writ of attachment, or distress warrant, shall summon
16 three householders, who after being duly sworn to fairly and impartially
17 appraise the property of the debtor, shall fix a fair valuation upon each

18 article contained in said schedule, and the debtor shall then select from
19 such schedule the articles he or she may desire to retain, the aggregate
20 value of which shall not exceed the amount exempted to which he or she
21 may be entitled, and deliver the remainder to the officer having the writ
22 and the officer having such writ is hereby authorized to administer the
23 oaths required herein of the debtor and appraisers. Each appraiser shall
24 receive for his services, the sum of one dollar per day for each day
25 necessarily engaged in such services. *Provided*, the officer shall not be
26 required to summon appraisers until the plaintiff or creditor named in the
27 writ, or some one for him, shall advance to the officer one day's fees for
28 said appraisers; and unless the plaintiff or creditor shall advance such fees,
29 the officer shall not be required to execute such writ. The costs of such
30 appraisement shall not be taxed against the execution debtor, unless such
31 appraisement shall show that the debtor has property subject to such
32 execution."

1. Received from House April 15, 1887, and ordered to first reading.
2. First reading April 15, 1887, and ordered to second reading without reference.

A BILL

For An Act concerning the ownership and alienation of real estate by aliens.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That all aliens who shall or have in good faith
3 declared their intentions to become citizens of the United States, conformably
4 to the laws thereof, and shall be actual residents of the United States, may
5 acquire and hold real estate in like manner as citizens of this State.

§ 2. All other aliens may take and hold land by devise and descent only,
2 and may convey the same at any time within three years thereafter, and
3 no longer, and all lands the legal or equitable title to which shall remain and
4 be in any alien or aliens not included in the first section of this act, at the
5 expiration of three years from such devise or descent shall escheat to the
6 county or counties in which said lands are situated in conformity to the
7 statutes in such cases made and provided.

§ 3. Nothing herein contained shall prevent the holder of any lien upon
2 or interest in real estate heretofore acquired, from holding or taking a valid
3 title to the real estate in which he has such interest, or upon which he has
4 such lien, or prevent any alien from enforcing any lien or judgment for any
5 debt or liability which may hereafter be created or which he may hereafter
6 acquire, or which may hereafter be adjudged in his favor, or from becoming
7 a purchaser at any sale by virtue of such lien or judgment, *providing, however,*

8 that all lands so acquired shall be sold within three years after title shall be
9 perfected in him under such sale, or in default thereof that the same shall
10 escheat as provided in section 2 of this act.

§ 4. Courts of competent jurisdiction may decree a conveyance of the
2 interest of any *non compos* person, infant, drunkard or spendthrift, for the
3 purpose of preventing the escheat of any interest under the provisions of
4 this act.

§ 5. All laws and parts of laws inconsistent with this act are hereby re-
2 pealed.

§ 6. Therefore an emergency exists, and this act shall take effect from and
2 after its passage.

1. Introduced by Mr. Humphrey, February 11, 1887, and ordered to first reading.
2. First reading February 11, 1887, and referred to Committee on Judicial Department.
3. Reported back February 25, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections 40 and 43 of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections 40 and 43 of an act entitled "An act
3 in regard to judgments and decrees, and the manner of enforcing the same by
4 execution, and to provide for the redemption of real estate sold under exe-
5 cution or decree," be and the same is hereby amended so as to read as follows:
6 "Section 40. All goods and chattels, real or personal, may be taken and
7 sold on execution, except as otherwise provided by law: *Provided,* that when
8 any officer shall levy an execution on live stock, or other personal property,
9 and the same shall not be immediately replevied or restored to the debtor,
10 such officer shall provide sufficient sustenance for the support of such live stock
11 and shall provide for the proper care and storage of such personal property, until
12 the same shall be replevied, sold or discharged from such execution; said officer
13 shall receive a reasonable compensation therefor, to be advanced to him from
14 time to time by the plaintiff in the execution, and the amount so paid by
15 said officer shall be collectable as part of the costs in the case."

16 "Section 43. If, in the judgment of the officer, there is reasonable doubt
 17 as to the ownership of the goods, or as to their liability to be taken on the
 18 execution, the officer may require sufficient security to indemnify him for
 19 taking them."

AMENDMENTS TO SENATE BILL NO. 245, RECOMMENDED BY COM- MITTEE ON JUDICIAL DEPARTMENT.

Amend the "title" by striking out section 43.

2 Also by inserting after the word "therefor" in the fourth line from the
 3 bottom of the first page of the bill the following: "to be ascertained and de-
 4 termined by the court, out of which the writ issued, or any judge thereof in
 5 vacation."

6 Also by striking out the words "so paid by said officer" in the second line
 7 from the bottom of page one (1), and inserting in lieu thereof, the following:
 8 "of such compensation."

1. Introduced by Mr. Curtiss, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Judicial Department.
3. Reported back February 18, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section thirty-three (33) of an act entitled "An Act to revise the law in relation to change of venue," approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section thirty-three (33) of an act entitled
3 "An Act to revise the law in relation to change of venue," approved
4 March 25, 1874, in force July 1, 1874, be and the same is hereby amended
5 so as to read as follows:
6 "Section 33. Upon the termination of any trial, when a change of
7 venue has been obtained, the clerk of the court in which the trial is had
8 shall make out a true and correct statement of all the costs, fees, and all
9 other necessary charges, claims and expenses of the county in which the
10 trial is had, resulting from such change of venue, or growing out of, and
11 incident to the trial of said case, or required in executing any and all
12 orders of the court made in said case, which have been paid by the
13 county in which the trial is had, or for which said county is liable, and
14 said such account shall be duly certified to by said clerk, and when so
15 certified, shall be paid by the county in which such indictment or

16 information was found to the county in which the trial is had and all
17 fines imposed and collected in the county where the trial is had shall be
18 paid over to the county in which the indictment or information was
19 found.”,

1. Introduced by Mr. Burke, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back March 24, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate Contracts between Employers and Employees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That it shall be unlawful for any individual com-
3 pany or corporation in the State of Illinois to draw or cause to be drawn,
4 to sign or to solicit others to sign, any contract or agreement between
5 any employer or employe wherein a specified time, notice of an intention
6 to quit or leave is required from the employe, except and unless it contain
7 a clause binding the employer to give the employe an equal number of
8 days notice of his intention to suspend or discharge such employe, nor
9 unless the penalty or forfeit for a violation of any of the provisions of
10 such contract are exactly the same in every respect as to both parties to
11 such contract.

§ 2. Any violation of this act shall be punished by a fine of not less
2 than fifty dollars or more than two hundred dollars for each offense, to be
3 sued and recovered before any justice of the peace, one-half of such fine
4 to go to the prosecuting witness and one-half to the school fund of the
5 town in which the offense is committed.

AMENDMENTS TO SENATE BILL NO. 247, PROPOSED BY COMMITTEE
ON LABOR AND MANUFACTURES.

Amend section one of the bill by striking out all after the style of the

2 bill and insert the following:

3 "That so much of any contract or agreement of employment between
4 any person, firm or corporation and an employe thereof which shall provide
5 that a certain number of days notice to quit shall be given before such
6 employer shall quit such employment, or shall provide a penalty for quit-
7 ing without giving notice shall be unlawful and void, unless it shall require
8 that an equal number of days notice shall be given the employe prior to
9 his suspension or discharge from such employment, and unless it shall
10 provide for the same penalty against the one as the other for failure to comply
11 with such notice."

12 Strike out section 2 of the bill.

1. Received from House April 8, 1887, and ordered to first reading.
2. First reading April 8, 1887, and ordered to second reading without reference.

A BILL

For An Act to provide for the organization of Savings Societies or Institutions for Savings, for their supervision and for the administration of their affairs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any thirteen or more persons, citizens of this
3 State, *two thirds of whom shall reside in the county where the proposed society*
4 *shall be located,* associating themselves together for the purpose of organizing
5 a savings society or institution for savings, in accordance with the provisions
6 of this act, shall, under their hands and seals, execute articles of association,
7 setting forth

8 *First—* The name assumed.

9 *Second—* The location, designating the city, village or town.

10 *Third—* The name, residence, occupation and postoffice address of each member.

11 *Fourth—* A declaration that each member will accept the responsibilities and
12 faithfully discharge the duties of a trustee thereof, according to the provisions
13 of this act.

14 *Fifth—That said trustees are in the aggregate the owners of at least one hundred*
15 *thousand dollars worth of real estate, in fee simple and unincumbered, situated in*
16 *the county where such society is to be established, and that the title to such real*
17 *estate has not been acquired for the purpose of making this application.*

§ 2. Such articles shall be executed in duplicate, and duly acknowledged
2 before an officer, in the manner provided for the acknowledgment of deeds

3 *and verified by the affidavit of at least two of the persons executing the same,*
 4 *and sent to the superintendent of the banking department. A notice of intention*
 5 *to organize such corporation shall be published at least once a week for ten*
 6 *consecutive weeks previous to filing such articles, in some newspaper of largest*
 7 *circulation published in the city, town or village where such corporation is pro-*
 8 *posed to be located, or nearest thereto, which notice shall specify the matter set*
 9 *forth in the articles under the first, second and third clauses of section one of this*
 10 *act; and, if there be any corporation doing business as a savings bank in such county,*
 11 *a copy of such notice shall be sent to each of them at least fifteen days before*
 12 *filing said articles with the superintendent. If the superintendent shall be satis-*
 13 *fied that proper publication and service in good faith of the notice aforesaid*
 14 *has been made that the incorporators, or a portion of them, are responsible as*
 15 *to character, financial ability, and general fitness for the discharge of the duties*
 16 *appertaining to such a trust, and that the organization proposed will be a*
 17 *public benefit, he shall endorse his recommendation thereon, retaining one*
 18 *copy to be filed in his office, and shall file one copy in the office of the Secre-*
 19 *tary of State, who shall issue, under his hand and seal of State to the person*
 20 *recommended by the superintendent, a certificate incorporating such persons*
 21 *under this act by the name assumed, making a part thereof a copy of all*
 22 *papers filed in his office in and about the organization thereof; but no certifi-*
 23 *cate shall be issued to two associations bearing the same name, and no person*
 24 *shall be named therein who shall not have duly made and acknowledged the*
 25 *declaration prescribed by sub-division four of section one of this act, which*
 26 *certificate so issued shall be recorded in a book for that purpose in the office*
 27 *of the recorder of deeds of the county where such corporation is located. Any*
 28 *such corporation that shall not begin business within one year after authorization*
 29 *shall forfeit its rights and privileges under this act.*

§ 3. Upon the filing of such certificate for record as aforesaid, the persons
 2 named therein and their successors shall thereupon and thereby be duly and
 3 lawfully constituted a body corporate and politic, by the name in such certifi-
 4 cate mentioned, and by that name shall have perpetual succession, may sue

5 and be sued, complain and defend in any court of law or equity, and shall be
6 vested with all the powers and charged with all the liabilities conferred and
7 imposed by this act, and may make and use a common seal, and alter or
8 renew the same at pleasure.

TRUSTEES.

§ 4. The persons named in the certificate issued as aforesaid, shall be the
2 first trustees of such corporation, and all vacancies in the office of trustee
3 shall be filled by the board, by ballot, without unnecessary delay, and the vote
4 of the majority of the remaining members of the board shall be necessary to
5 elect a trustee.

§ 5. The business of every such corporation shall be managed and directed
2 by a board of trustees of not less than thirteen, who shall select from their
3 number a president and two vice-presidents, and may elect from their number
4 or otherwise, such other officers and agents as they may deem expedient; and
5 a vote of a majority of the full board shall be requisite for the appointment
6 of any officer receiving a salary therefrom, or to fix or to increase the salary
7 of any officer, but such majority shall be composed exclusive of any trustee
8 receiving any salary or compensation for services as an officer of said
9 corporation.

§ 6. No trustee shall, as such, directly or indirectly, receive any pay or
2 emolument for his services, *except as provided in section eighteen*, and no
3 trustee, officer or servant of such corporation shall, directly or indirectly, for
4 himself or as the agent or partner of others, borrow any of the funds of
5 the said corporation or in its custody, or in any manner use the same,
6 except to make necessary current payments or to make investments, or to
7 deposit for safety under the direction and by authority of the board of
8 trustees; nor shall any trustee, officer or servant of such corporation be an
9 endorser or surety, or in any manner be an obligor, for moneys loaned by or
10 borrowed of such corporation.

§ 7. The board of trustees of any such corporation shall have power, from
2 time to time, to make such by-laws, rules and regulations as they may

3 think proper for the election of officers, for prescribing their respective powers
 4 and duties, and the manner of discharging the same; for the appointment
 5 and duties of committees, and generally for transacting, managing and direct-
 6 ing the affairs of the corporation: *Provided*, such by-laws, rules and
 7 regulations be not repugnant to nor inconsistent with the provisions of this
 8 act, to the Constitution and laws of this State or of the United States.
 9 *The trustees of any such society shall have the power, and it shall be the*
 10 *duty to require of the officers, clerks and agents of the society, such bond to*
 11 *their fidelity and the faithful performance of their duties as they shall deem*
 12 *necessary, or as shall be required by the superintendent of the banking de-*
 13 *partment; such bonds shall be made payable to the people of the State of*
 14 *Illinois, for the use of any person interested, and shall be filed with and*
 15 *approved by such superintendent.*

MEETINGS.

§ 8. Regular meetings of the board of trustees shall be held as often as
 2 once in each month, for the purpose of receiving the reports of their officers
 3 and committees and for the transaction of other business. A quorum at any
 4 regular, special or adjourned meeting shall consist of not less than seven
 5 trustees, of whom the president or presiding vice-president shall be one, but
 6 less than a quorum may adjourn from time to time, or until the next regular
 7 meeting.

§ 9. Whenever a trustee of such corporation shall remove from the State,
 2 or shall borrow, directly or indirectly, any of the funds of the association of
 3 which he is trustee, or become a surety or guarantor for any money
 4 borrowed of or loan made by such corporation, or upon his failure to attend
 5 regular meetings of the board or to perform any of the duties devolved upon
 6 him as such trustee, for six successive months, without having been excused
 7 by the board for such failure, the office of such trustee shall thereupon
 8 become vacant; but the trustee vacating his office for failure to attend
 9 meetings or to discharge his duties, may, in the discretion of the board, be
 10 eligible to re-election.

MONEY RECEIVED FOR INVESTMENT.

§ 10. It shall be lawful for any such corporation to receive any sums of money for accumulation and safe keeping that may be offered for that purpose by any person, corporation or society, and to invest, hold and repay the same, and declare, credit and pay dividends thereon as herein authorized and provided, and not otherwise.

INVESTMENTS AND LOANS.

§ 11. All sums so received and the income derived therefrom, and all moneys intrusted to any such corporation by order of court or other lawful authority, shall be invested only as follows:

First—In stocks or bonds or interest-bearing notes or obligations of the United States, or securities for the payment of which the faith of the United States is pledged.

Second—In stocks or bonds of this State bearing interest.

Third—In stocks or bonds of any State in the Union which has not, within three years previous to making such investment by such corporation, defaulted in the payment of any part of either principal or interest thereof.

Fourth—In the municipal obligations of any city, county, town or village of this State.

Fifth—In the stocks or bonds of any city or county in the *New England States or States of New York, New Jersey, Pennsylvania, Ohio, Indiana, Michigan, Iowa, Missouri, Kansas, Nebraska, Wisconsin or Minnesota*, issued pursuant to the authority of any law of such State: *Provided*, the entire bonded indebtedness of such city or county shall not exceed five per cent. of the assessed value of the taxable property therein, as shown by the last assessment preceding the investment.

Sixth—In the stocks of any bank, banking association or trust company in the State, organized under any law or laws of this State or of the United States: *Provided*, no such corporation shall hold more than ten per cent. of

24 the stock of any such bank or trust company, nor more than twenty-five per
25 cent. of its funds shall be invested in such securities.

26 *Seventh*—In the mortgage bonds of any railroad company of approved credit,
27 located in any of the States aforesaid which has paid dividends of not less
28 than five per centum per annum regularly on its entire capital stock for not
29 less than five consecutive years next preceding such investment, and which are
30 first lien upon the railroad, pledged to secure the same, or in the consol-
31 idated mortgage bonds of any railroad company chartered by this State,
32 authorized to be issued to retire the entire bonded debt of such company, or
33 in the collateral trust bonds of any railroad company chartered in this
34 State, where the underlying bonds pledged to secure them are a first lien
35 upon the property mortgaged: Provided, said company has paid dividends
36 as aforesaid: And provided further, that no savings corporation shall hold
37 more than ten per cent. of its funds in the bonds of any one railroad com-
38 pany, nor more than twenty-five per cent of its funds shall be invested in
39 railroad securities.

40 *Eighth*—In bonds or notes and mortgages on unincumbered real estate
41 located in any of the States aforesaid, worth at least twice the amount
42 loaned thereon, but not to exceed sixty per cent. of the whole amount of its
43 funds shall be so loaned or invested; nor shall more than thirty per cent. of
44 the whole amount of its funds be so invested on real estate located outside
45 of the State of Illinois; but in case the loan is on unimproved or unproductive
46 real estate, the amount loaned thereon shall not be more than one-third of its
47 actual value; and no investment in any bond and mortgage shall be made
48 except upon the report of a committee charged with the duty of investigating
49 the same, who shall certify to the value of the premises mortgaged or to be
50 mortgaged, according to their best judgment, and such report shall be filed
51 and preserved among the records of the institution.

52 *Ninth*—In real estate, subject to the provisions of section thirteen of this
53 act.

§ 12. It shall be the duty of the trustees of any such corporation, as soon
 2 as practicable, to invest such fund of money, by purchase or otherwise in
 3 the securities named in section eleven of this act, except that for the pur-
 4 pose of meeting current payments and expenses in excess of the receipts
 5 any of the securities may be sold or pledged; and there may be kept an
 6 available fund of not exceeding twenty per cent. of the whole amount of its
 7 assets, and the same, or any part thereof, together with the current receipts
 8 over the payments, may be kept on hand or on deposit in any bank or bank-
 9 ing association in the State of Illinois, organized under any law or laws of this
 10 State or of the United States, or with any trust company incorporated by any
 11 law of this state; but the sum so deposited in any one bank or trust company
 12 shall not exceed twenty-five per cent. of the paid up capital and surplus; or
 13 such available fund, or any part thereof, may be loaned upon pledge of any
 14 of the securities named in the last preceding section of this act, but not
 15 exceeding ninety per cent. of the cash market value of such securities so
 16 pledged, nor in excess of the par value thereof. And should any of the secur-
 17 ities so held in pledge depreciate in value after making any loan thereon, it
 18 shall be the duty of the trustees to require the immediate payment of such
 19 loan or of a part thereof or additional security therefor, so that the amount
 20 loaned shall at no time exceed ninety per cent. of the market value of the
 21 securities pledged therefor.

§ 13. It shall be lawful for such corporation to purchase, hold, sell and
 2 convey real estate only as follows:

3 *First*—A plat whereon is erected or to be erected a building or buildings
 4 requisite for the convenient transaction of its business, and from portions of
 5 which, not required for its own use, a revenue may be derived, the cost not
 6 to exceed five per cent. of the whole fund of such corporation, except by written
 7 permission of the superintendent of the banking department.

8 *Second*—Such as shall be purchased by it at sales upon the foreclosure of
 9 mortgages held by such corporation, or upon judgments or decrees rendered for
 10 debts due to it, or in settlements to secure such debts, or for *tax-liens* and all

11 such real estate mentioned in *this* clause, shall be sold by such corporation
 12 within five years after the same shall be vested in it, unless the superintendent
 13 ent shall extend the time in writing within which such sale shall be made.
 14 And such corporation may, with the approval of the superintendent had
 15 *in writing*, change its location within the limits of the city or town
 16 wherein it may be established, and in effecting such change, may purchase
 17 such additional plat, under the provisions of subdivision one of this section,
 18 as it may require, and its former site shall be sold, as provided in subdivision
 19 two of this section.

§ 14. In making loans upon real estate, the expenses of searches, examina-
 2 tions and certificate of title or appraisals of value, and of drawing, perfecting
 3 and recording papers, shall be paid by the borrower, and whenever buildings are
 4 included in the valuation of any real estate upon which a loan shall be made,
 5 they shall be insured by the mortgagor for the benefit of the mortgagee or his
 6 assigns during the continuance of the loan, and it shall be lawful for such
 7 corporation to renew such insurance in the same or any other companies,
 8 from year to year, or otherwise, as the trustees may elect. The necessary
 9 charges and expenses paid therefor shall be paid by such borrower, and until
 10 so paid shall be an additional lien upon the mortgaged premises, recoverable,
 11 with interest from the time of payment, as part of the moneys secured to be
 12 paid by such mortgage.

BANKING PROHIBITED.

§ 15. It shall be unlawful for any such corporation to deal or trade in real
 2 estate except as provided in section eleven of this act, or to deal or trade in
 3 any goods, wares, merchandise or commodities whatever, except as authorized
 4 by the terms of this act and except such personal property as may be necessary
 5 in the transaction of its business as by this act authorized; or to loan money
 6 upon or to discount or deal in notes, bills of exchange or other personal
 7 security, or to transact any banking business, whether of issue, deposit
 8 or discount, and no such corporation shall be deemed a bank or
 9 company having or exercising banking powers. And the investment in

any securities not named in this act or amendments thereto, shall be deemed a misdemeanor on the part of the trustees authorizing or officers making the same, who shall be subject to fine in any sum not more than *five hundred* dollars for each offense.

WITHDRAWALS.

§ 16. The sum entrusted to the care of any such corporation may be withdrawn at such time or times after demand, and after such previous notice and under such regulations as the board of trustees shall from time to time provide, on production of and proper entry in the pass-book at the time of such payment: which regulations shall be put up in some conspicuous place in the room where the business of such corporation shall be transacted, and may be printed in the pass-books. The trustees may provide for making payments in case of loss of pass-book or other exceptional case, where its production may produce loss or serious inconvenience to the parties, such right to cease, however, whenever so directed by the superintendent. Money standing in the name of a minor may, at the discretion of the trustees, be paid to such minor, and the same shall be a valid payment. And every such corporation shall have the right to limit the aggregate amount which they will receive from any one person or society to such sum as they may deem expedient, and may, in their discretion, refuse to receive any sum offered, and may also, at any time, return all or any part of any sum received: *Provided*, that the aggregate amount that may be received from any one individual or corporation shall not exceed three thousand dollars, exclusive of dividends; but this limitation shall not apply to moneys arising from judicial sales or trust funds, or to moneys of administrators, executors, guardians, religious or charitable institutions, or if received pursuant to the order of a court of record.

DIVIDENDS AND SURPLUS.

§ 17. It shall be the duty of the trustees of every such corporation to regulate the rate of interest or dividends, not to exceed four per cent. per annum upon the amounts received from and to the credit of the persons or

4 parties entrusting money to their care and management, in such manner that
 5 such persons shall receive as nearly as may be, all the profits of such
 6 corporation, after deducting the necessary expenses, and reserving such
 7 amount as the trustees may deem expedient as a surplus, which, to the
 8 amount of fifteen per cent. of the entire fund in their charge, the trustees
 9 may gradually accumulate and hold to meet any contingency or loss from
 10 depreciation of securities or otherwise: *Provided, however,* that the trustees
 11 of any such corporation may classify their depositors according to the char-
 12 acter, amount and duration of their dealings with the corporation, and regulate
 13 the interest or dividends allowed in such a manner that each depositor shall
 14 receive the same rateable portion of interest or dividends as all others of his
 15 class. No dividend shall be declared until the trustees of such corporation
 16 cause an examination to be made, and find that the amount thereof has actu-
 17 ally accrued, and no dividend or interest shall be paid or credited *except semi-*
 18 *annually nor* unless authorized by a vote, duly entered on the minutes by
 19 ayes and nays, after such examination. And whenever the surplus amounts
 20 to fifteen per cent. of the entire fund, as aforesaid, the trustees shall, at least
 21 once in three years, divide equitably, the accumulation beyond such authorized
 22 surplus as an extra dividend, in excess of the regular dividends herein author-
 23 ized. Notices posted conspicuously in the room where the business of such
 24 corporation is transacted shall be equivalent to personal notice to each per-
 25 son or other party interested. In determining the per cent. of surplus so
 26 held, the interest-bearing stocks and bonds shall not be estimated above their
 27 par value, or above the market value, if below par; its bonds, loans and mort-
 28 gages not in arrears of interest for a longer period than two years, at their
 29 face; its real estate and tax liens at not above cost, and all other investments
 30 at such valuation as the superintendent shall determine.

COMPENSATION OF TRUSTEES.

§ 18. It shall be lawful for trustees acting as officers or committees of such
 2 corporation, whose duties require and receive their regular and faithful
 3 attendance at or for the institution, to receive such compensation as in the
 4 opinion of a majority of the board of trustees shall be just and reasonable; but

5 such majority shall be exclusive of any trustee to whom such compensation
 6 shall be voted. But it shall not be lawful to pay trustees, as such, for their
 7 attendance at meetings of the board *more than five dollars each for any reg-*
 8 *ular monthly meeting at which they are personally present.*

REPORTS.

§ 19. Every such corporation shall, on or before the first day in November
 2 in each year, make a report in writing to the superintendent of the banking
 3 department, and in such form as he shall prescribe, of its condition on the
 4 morning of the first day of July preceding. Such report shall state the
 5 amount loaned upon bond and mortgage, together with a list thereof; the par
 6 value and estimated market value of all stock or bond investments, designat-
 7 ing each particular kind and amount invested in each; the amount loaned
 8 upon the pledge of securities, with a statement of the securities held as col-
 9 lateral for such loans; the amount invested in real estate, giving cost of
 10 same; the amount of cash on hand and on deposit in banks or trust com-
 11 panies, with their names and the amount deposited in each; the amount of
 12 all other assets, including accrued interest not enumerated above, and such
 13 other information as the superintendent may require. Such report shall also
 14 state all the liabilities on the morning of the said first day of July; the
 15 amount due to depositors, which shall include any dividend to be credited to
 16 them for the six months ending on that day, and any other claims against
 17 such corporation which are or may be a charge upon its assets. Such report
 18 shall also state the amount deposited during the fiscal year ending that day,
 19 and the amount withdrawn during the same period; the whole amount of
 20 interest received or earned and the amount of dividends credited to depos-
 21 itors, together with the amount of each semi-annual credit of interest; the
 22 number of accounts opened or reopened, the number closed during such year,
 23 and the number of open accounts at the end of such year, *and also a state-*
 24 *ment like that provided for in paragraphs third and fifth in section one of*
 25 *this act,* and such other information as the superintendent may require.

EXAMINATION.

§ 20. The report shall be verified by oath of the two principal officers of
2 the institution, and the statement of assets shall be verified by the oath of a
3 majority of the trustees who examine the same pursuant to the require-
4 ments of this section. And any wilful false swearing in regard to such
5 report, or any report made to the superintendent pursuant to the provis-
6 ions of this act, shall be deemed perjury, and be subject to the prosecu-
7 tions and punishments prescribed by law for that offense. It shall be the
8 duty of the trustees, by a committee of not less than three of such trus-
9 tees, on or about the first day of July in each year, to thoroughly examine
10 the books, vouchers and assets of such institution, and its affairs generally,
11 and the statement of assets and liabilities reported to the superintendent for
12 the first day of July in such year shall be based upon such examination,
13 but nothing herein contained shall be construed as prohibiting the trustees from
14 requiring such examinations at such other times as they shall prescribe. Any
15 such corporation failing to furnish to the superintendent any report or state-
16 ment required by this act, shall forfeit the sum of one hundred dollars per
17 day for every day such report or statement shall be so withheld; and the
18 said superintendent may maintain an action, in his name of office to recover
19 such penalty, and when collected, the same shall be paid into the treasury
20 of the State, and be applied to the expenses of the banking department;
21 but the superintendent may, for sufficient cause, extend the time for making
22 such report, not exceeding thirty days.

§ 21. It shall be the duty of superintendent of banking department, on
2 or before the first day of February in each assembly year, to communicate to
3 the Legislature a statement of the condition of every such corporation from
4 which a report has been received for the two preceding years; also the name
5 and location of savings corporations authorized by him during the two pre-
6 vious years, with the date of their incorporation.

SUPERVISION.

§ 22. It shall be the duty of the said superintendent, once in two years,
2 either personally or by one or more competent persons to be appointed by him,

3 to visit and examine every such corporation in this State. The superintend-
 4 ent shall also have power, in like manner, to examine any such corporation,
 5 whenever, in his judgment, it may be deemed necessary or expedient. The
 6 said superintendent and every such examiner shall have power to administer
 7 an oath to any person whose testimony may be required on any such examina-
 8 tion, and to compel the appearance and attendance of any such person for the
 9 purpose of such examination, by summons, subpoena, or attachment, in the
 10 manner now authorized in respect to the attendance of persons as witnesses
 11 in the courts of record of this State; and all books and papers which it
 12 may be deemed necessary to examine by the superintendent or examiner
 13 so appointed shall be produced, and their production may be compelled in
 14 like manner. The expense of every such special examination, if any, shall be
 15 paid by the corporation examined, in such amount as the superintendent
 16 shall certify to be just and reasonable, but whenever such special examina-
 17 tion shall be made by the superintendent in person, or by one or more of the
 18 regular clerks in his department, no charge shall be made except for necessary
 19 traveling and other actual expenses. The result of any such examination shall
 20 be certified by the examiner, or one of them, upon the records of the cor-
 21 poration examined, and the results of all the regular examinations during
 22 the previous *two* years shall be embodied in the *biennial* reports of the
 23 superintendent required by this act to be submitted to the Legislature.

§ 23. Whenever it shall appear to the said superintendent, from any such
 2 examination or report, that any such corporation has committed any viola-
 3 tion of law, or is conducting its business in an unsafe or unauthorized
 4 manner, he shall, by an order under his hand and seal, direct the discon-
 5 tinuance of such illegal and unsafe or unauthorized practices, and strict
 6 conformity with the requirements of the law, and with safety and security in
 7 its transactions; and whenever any such corporation shall refuse or neglect to
 8 make any such report as is hereinbefore required, or to comply with any such
 9 order as aforesaid, or whenever it shall appear to the superintendent that it
 10 is unsafe or inexpedient for any such corporation to continue to transact

11 business, or that extraordinary withdrawals of money are jeopardizing the
 12 interests of remaining depositors, or that any trustee or officer has abused
 13 his trust or been guilty of misconduct or malversation in his official posi-
 14 tion injurious to the institution, or that it has suffered a serious loss by
 15 fire, burglary, repudiation or otherwise, he shall communicate the facts to
 16 the Attorney General, who shall thereupon institute such proceedings as
 17 the nature of the case may require. Such proceedings may be for an
 18 order restraining such institution from paying out more than ten per cent. of
 19 its funds in any six months, or until the further order of the court, or
 20 for the removal of one or more of the trustees, or for the transfer of the
 21 corporate powers to other persons, or the consolidation and merger of the
 22 corporation with any other savings corporation that may be willing to
 23 accept of the trust, or for a pro rata per cent. apportionment among the deposit-
 24 ors of the loss suffered by debiting their accounts therewith, or for such other
 25 or further relief or correction as the particular facts communicated to him
 26 shall seem to require. And the court before which such proceedings shall
 27 be instituted shall have power to grant such orders, and in its discretion, from
 28 time to time, to modify or revoke the same and to grant such relief as the
 29 evidence, situation of the parties and the interests involved shall seem to
 30 require; and whenever in such proceedings an order shall be granted restrain-
 31 ing such corporation from paying out or disposing of any moneys or property
 32 of or held by such corporation, the superintendent may, and if directed by the
 33 court, shall take temporary possession of all the assets, property and rights
 34 of or held by such corporation, and hold such possession until restored to the
 35 trustees, or until further order of the court.

§ 24. All savings banks or institutions for savings or other corporations
 2 incorporated under the authority of this State, and doing business in receiving
 3 or investing savings deposits, availing themselves of this act, may exercise the
 4 power, be governed by the rules and be subject to the duties, liabilities and provis-
 5 ions contained in this act, so far as the same are consistent with the provis-
 6 _ions of their respective charters, although they have a capital stock or bond
 7 for the additional security of their depositors and pay dividends thereon.

8 and any such corporation may, by vote at its annual meeting or at a meeting
 9 called for the purpose, become re-organized and incorporated under this act,
 10 or may accept any provision of this act which is inconsistent with any provis-
 11 ion of its charter in lieu of such inconsistent provision: *Provided*, that
 12 nothing herein contained shall require any such corporation to change any of
 13 its investments theretofore made. Any corporation availing itself of the
 14 provisions of this act, may provide for the return of the whole or any part of
 15 its capital stock and surplus to the stockholders. *Provided*, such re-payment
 16 shall be no greater in amount at any time than the net surplus thereafter
 17 accumulated. The charter and corporate powers and rights of any such cor-
 18 poration re-organized under this act, may, if so desired and voted at the
 19 meeting, be held in suspense and may be resumed by the corporators thereof
 20 or their successors and assigns at pleasure. All the acts and proceedings of
 21 the intention to avail themselves of any provisions of this act shall be certi-
 22 fied in writing, under the hand of the president and the corporate seal of such
 23 corporation attested by the treasurer or secretary thereof, and upon the
 24 filing of such certificate in the office of the superintendent of the banking
 25 department, the powers and provisions hereby conferred and thereby accepted
 26 shall immediately take effect.

MISCELLANEOUS PROVISIONS.

§ 25. It shall be the duty of the Governor, by and with the advice and
 2 consent of the Senate, to appoint a superintendent of the banking depart-
 3 ment, to hold office for four years, and he shall also fill any vacancy for any
 4 unexpired term. Until such superintendent shall be appointed and qualified,
 5 the Auditor shall act as superintendent. Before entering upon his duties
 6 the superintendent shall take an oath, as in cases of other civil officers,
 7 and shall execute a bond to the People of the State of Illinois, in the penal
 8 sum of ten thousand dollars, with sureties to be approved by the Governor
 9 and Auditor, conditioned to the strict and faithful discharge of the duties of
 10 his office, according to law. His compensation shall be two thousand dollars
 11 per annum payable out of the treasury, from the savings fund, which is
 12 hereby appropriated therefor; and the Auditor shall draw his warrant on

13 the State treasury therefor, at the written request of such superintendent.
14 No officer of any bank, trust company or savings institution shall be eligible
15 to said office. And if said superintendent, at any time, shall become indebted
16 or obligated to any bank, trust company or savings institution, or shall engage
17 or be interested in the sale of securities as a business, or in the negotiation
18 of loans for others, his office shall become vacant

§ 26. The superintendent is hereby authorized *to have a seal of office and*
2 from time to time to employ so many clerks and examiners as may be neces-
3 sary to discharge in a proper manner the duties imposed upon him by this
4 act; and their salary shall be paid to them monthly, out of the treasury of
5 the State, from the savings fund, upon the certificate of the superintendent
6 and warrant of the Auditor. The superintendent shall, in his annual report
7 to the Legislature, state the names of the clerks and examiners so employed,
8 and the compensation allowed to them, severally.

§ 27. For the purpose of defraying the expenses incurred in the perform-
2 ance by the superintendent of the general duties, including regular examina-
3 tions, imposed upon him by this act, each savings corporation organized
4 under this act shall pay five dollars, and the residue of such expenses shall
5 be paid by savings corporations whose funds exceeds one hundred thousand
6 dollars, in proportion to the amount of assets severally held and reported
7 by them, and the sums so contributed shall be paid into the treasury of the
8 State and constitute the savings fund. If any such savings corporation shall
9 after due notice, refuse or neglect for thirty days to pay its allotted share of
10 such charges, the said superintendent may maintain an action, in his name of
11 office, against such corporation for the recovery of such charges.

1. Introduced by Mr. Bacon, of Will. February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Corporations.
3. Reported back March 25, passage recommended, and ordered to second reading.

A BILL

For An Act to repeal section number four of an act to amend the charter of the village of Lockport, passed February 12, 1853, amended and in force February 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section number four of "An act to amend the charter of the village of Lockport," in force February 26, 1869, be and the same is hereby repealed.

Whereas an emergency exists this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Bacon of Will, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Corporations.
3. Reported back March 25, passage recommended, and ordered to second reading.
4. Second reading April 8, 1887, amended, and ordered to third reading.

A BILL

For An Act to repeal section number four (4) of an act to amend the charter of the village of Lockport, passed February 12, 1853, amended and in force February 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section number four of "An act to amend the charter of the village of Lockport," in force February 26, 1869, be and the same is hereby repealed.*

1. Introduced by Mr. Hadley, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections one (1), five (5), ten (10) and thirteen (13) of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts," approved May 27, 1877, in force July 1, 1877; as amended by act approved May 31, 1879, in force July 1, 1879; and to further amend said act by adding thereto additional sections, to be numbered sixteen (16), seventeen (17), eighteen (18) and nineteen (19).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), five (5), ten (10) and thirteen (13) of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts, approved May 27, 1877, in force July 1, 1877; as amended by act approved May 31, 1879, in force July 1, 1879, be amended so as to read as follows:

"Section 1. That in all cases of voluntary assignments hereafter made for the benefit of creditor or creditors, the debtor or debtors shall annex to such assignment an inventory under oath or affirmation, of his, her, or their estate, real and personal, according to the best of his, her, or their knowledge; and also a list of his, her or their creditors, their residence and place of business, if known, and the amount of their respective demands; but such inventory shall not be conclusive as to the amount of the debtor's estate, but such assignment shall vest in the assignee or assignees, the title to any other property, not exempt by law, belonging to the debtor or debtors at the time

23 ment, sale, assignment, transfer or other conveyance is made with a view to
24 prevent his property from coming to his assignee under such deed of assign-
25 ment, or to prevent the same from being distributed under this act, or to
26 defeat the object of or in any way impair, hinder, impede or delay the opera-
27 tion and effect of, or to evade any of the provisions of this act, such sale,
28 assignment, transfer or conveyance shall be void, and the assignee may
29 recover the property, or the value thereof, as assets of the assignor. And if
30 such sale, assignment, transfer or conveyance is not made in the usual and
31 ordinary course of business of the debtor, the fact shall be *prima facie* evidence
32 of fraud."

33 "Section 18. That in all cases of assignments for the benefit of creditors under
34 this act, the assignee or assignees, shall be considered as representing the rights
35 and interests of the creditors of the debtor or debtors making the assignment as
36 against all transfers and conveyances of property which may be held to be
37 fraudulent or void as to creditors, and shall have all the rights and remedies
38 which such creditors would have to avoid such fraudulent conveyances and
39 transfers."

40 "Section 19. The county judge of the county where the assignment is
41 recorded, may upon the application of the assignee, for good and sufficient
42 cause shown, and on such terms, and in such manner as he may direct,
43 authorize the assignee to compromise, compound or sell any claim or debt
44 belonging to the estate of the debtor. But such authority shall not prevent
45 any party interested in the trust estate, from showing upon the final account-
46 ing of such assignee, that such debt or claim was fraudulently or negligently
47 compounded, compromised or sold."

1. Introduced by Mr. Hadley, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections one (1), five (5), ten (10) and thirteen (13) of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts," approved May 27, 1877, in force July 1, 1877; as amended by act approved May 31, 1879, in force July 1, 1879; and to further amend said act by adding thereto additional sections, to be numbered sixteen (16), seventeen (17), eighteen (18) and nineteen (19).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections one (1), five (5), ten (10) and thirteen
3 (13) of an act entitled "An act concerning voluntary assignments, and conferring
4 jurisdiction therein upon county courts, approved May 27, 1877, in force July
5 1, 1877; as amended by act approved May 31, 1879, in force July 1, 1879, be
6 amended so as to read as follows:

7 "Section 1. That in all cases of voluntary assignments hereafter made for
8 the benefit of creditor or creditors, the debtor or debtors shall annex to such
9 assignment an inventory under oath or affirmation, of his, her, or their estate,
10 real and personal, according to the best of his, her, or their knowledge; and
11 also a list of his, her or their creditors, their residence and place of business,
12 if known, and the amount of their respective demands; but such inventory
13 shall not be conclusive as to the amount of the debtor's estate, but such
14 assignment shall vest in the assignee or assignees, the title to any other
15 property, not exempt by law, belonging to the debtor or debtors at the time

16 of making the assignment. Every assignment shall be duly acknowledged
 17 and recorded in the county where the person or persons making the same
 18 reside, or when the business in respect of which the same is made has been
 19 carried on; and in case said assignment shall embrace lands or any interest
 20 therein, then the same shall also be recorded in the county or counties in
 21 which said land may be situated."

22 "Section 5. That the assignee or assignees, or any person interested as
 23 creditor or otherwise, by himself or attorney may, within thirty days after
 24 filing such report, file with said clerk exceptions to the claim or demands of
 25 any creditor's exhibit as aforesaid, and the clerk of said court, upon such
 26 person by himself or his attorney, filing in said court good and sufficient
 27 bond for cost, to be approved by the clerk, and executed in the same manner
 28 and to like effect in law as is now required in *quidam* actions as provided
 29 in sections 1 and 2 of an act entitled "An act to revise the law in relation to
 30 costs," approved February 11, 1874, shall forthwith cause notice thereof to be
 31 given to the creditor, which shall be served as in case of an original notice
 32 in the county court, and shall be returnable at the next term of the county
 33 court in said county; and the said county court shall at the next term pro-
 34 ceed to hear the proofs and allegations of the parties in the premises, and
 35 shall render such judgment thereon as shall be just, and may allow a trial by
 36 jury thereon: *Provided*, that when exceptions are filed by an assignee or
 37 assignees, such assignee or assignees shall not be required to give a bond for
 38 costs."

39 "Section 10. That any creditor may claim debts to become due as well as
 40 debts due, but on debts not due a reasonable abatement shall be made when
 41 the same are not drawing interest, and all creditors who, after being notified
 42 as provided in section two of this act, shall not exhibit his, her or their claim
 43 within the term of three months from the first publication of notice as afore-
 44 said, shall not participate in the dividends until after payment in full of all
 45 claims presented within said term and allowed by the county court: *Provided*,
 46 that any creditor who has not received actual notice of such assignment until
 47 after the expiration of said period of three months, may at any time before

48 the declaration of the final dividend, exhibit his claim and the same may be
49 allowed, and all dividends declared after such allowance, shall be paid thereon
50 as in the case of other allowed claims."

51 "Section 13. Every provision in any assignment hereafter made in this State
52 providing for the payment of one debt or liability in preference to another shall
53 be void, and all debts and liabilities within the provisions of the assignment
54 shall be paid pro rata from the assets thereof, and no provision in the deed of
55 assignment regulating the manner of the collection or disposition of the
56 property assigned or the disbursement of the proceeds thereof shall affect the
57 validity of the deed, but such provisions shall be void.

§ 2. That said act be further amended by the addition thereto of the
2 following sections:

3 "Section 16. That if any person being insolvent or in contemplation of
4 insolvency, within three months before the execution by such person of any
5 deed of assignment for the benefit of creditors, with a view to give a prefer-
6 ence to any creditor or person having a claim against him, or who is under
7 any liability for him, procures any part of his property to be attached,
8 sequestered or seized on execution, or makes any payment, pledge, assignment,
9 transfer or conveyance of any part of his property, either directly or indirectly,
10 absolutely or conditionally, the person receiving such payment, pledge, assign-
11 ment, transfer or conveyance, or to be benefited thereby, or by such attach-
12 ment, having reasonable cause to believe such person is insolvent, and that
13 such attachment, payment, pledge, assignment or conveyance is made in
14 fraud of the provisions of this act, the same shall be void, and the assignee
15 may recover the property, or the value of it from the person so receiving it,
16 or so to be benefited."

17 "Section 17. That if any person being insolvent, or in contemplation of
18 insolvency, within three months before the execution by such person of any
19 deed of assignment for the benefit of creditors, makes any payment, sale,
20 assignment, transfer, conveyance or other disposition of any part of his
21 property, to any person who then has reasonable cause to believe him to be
22 insolvent, or to be acting in contemplation of insolvency, and that such pay-

23 ment, sale, assignment, transfer or other conveyance is made with a view to
24 prevent his property from coming to his assignee under such deed of assign-
25 ment, or to prevent the same from being distributed under this act, or to
26 defeat the object of or in any way impair, hinder, impede or delay the opera-
27 tion and effect of, or to evade any of the provisions of this act, such sale,
28 assignment, transfer or conveyance shall be void, and the assignee may
29 recover the property, or the value thereof, as assets of the assignor. And if
30 such sale, assignment, transfer or conveyance is not made in the usual and
31 ordinary course of business of the debtor, the fact shall be *prima facie* evidence
32 of fraud."

33 "Section 18. That in all cases of assignments for the benefit of creditors under
34 this act, the assignee or assignees, shall be considered as representing the rights
35 and interests of the creditors of the debtor or debtors making the assignment as
36 against all transfers and conveyances of property which may be held to be
37 fraudulent or void as to creditors, and shall have all the rights and remedies
38 which such creditors would have to avoid such fraudulent conveyances and
39 transfers."

40 "Section 19. The county judge of the county where the assignment is
41 recorded, may upon the application of the assignee, for good and sufficient
42 cause shown, and on such terms, and in such manner as he may direct,
43 authorize the assignee to compromise, compound or sell any claim or debt
44 belonging to the estate of the debtor. But such authority shall not prevent
45 any party interested in the trust estate, from showing upon the final account-
46 ing of such assignee, that such debt or claim was fraudulently or negligently
47 compounded, compromised or sold."

48 the declaration of the final dividend, exhibit his claim and the same may be
 49 allowed, and all dividends declared after such allowance, shall be paid thereon
 50 as in the case of other allowed claims."

51 "Section 13. Every provision in any assignment hereafter made in this State
 52 providing for the payment of one debt or liability in preference to another shall
 53 be void, and all debts and liabilities within the provisions of the assignment
 54 shall be paid pro rata from the assets thereof, and no provision in the deed of
 55 assignment regulating the manner of the collection or disposition of the
 56 property assigned or the disbursement of the proceeds thereof shall affect the
 57 validity of the deed, but such provisions shall be void.

§ 2. That said act be further amended by the addition thereto of the
 2 following sections:

3 "Section 16. That if any person being insolvent or in contemplation of
 4 insolvency, within three months before the execution by such person of any
 5 deed of assignment for the benefit of creditors, with a view to give a prefer-
 6 ence to any creditor or person having a claim against him, or who is under
 7 any liability for him, procures any part of his property to be attached,
 8 sequestered or seized on execution, or makes any payment, pledge, assignment,
 9 transfer or conveyance of any part of his property, either directly or indirectly,
 10 absolutely or conditionally, the person receiving such payment, pledge, assign-
 11 ment, transfer or conveyance, or to be benefited thereby, or by such attach-
 12 ment, having reasonable cause to believe such person is insolvent, and that
 13 such attachment, payment, pledge, assignment or conveyance is made in
 14 fraud of the provisions of this act, the same shall be void, and the assignee
 15 may recover the property, or the value of it from the person so receiving it,
 16 or so to be benefited."

17 "Section 17. That if any person being insolvent, or in contemplation of
 18 insolvency, within three months before the execution by such person of any
 19 deed of assignment for the benefit of creditors, makes any payment, sale,
 20 assignment, transfer, conveyance or other disposition of any part of his
 21 property, to any person who then has reasonable cause to believe him to be
 22 insolvent, or to be acting in contemplation of insolvency, and that such pay-

23 ment, sale, assignment, transfer or other conveyance is made with a view to
24 prevent his property from coming to his assignee under such deed of assign-
25 ment, or to prevent the same from being distributed under this act, or to
26 defeat the object of or in any way impair, hinder, impede or delay the opera-
27 tion and effect of, or to evade any of the provisions of this act, such sale,
28 assignment, transfer or conveyance shall be void, and the assignee may
29 recover the property, or the value thereof, as assets of the assignor. And if
30 such sale, assignment, transfer or conveyance is not made in the usual and
31 ordinary course of business of the debtor, the fact shall be *prima facie* evidence
32 of fraud."

33 "Section 18. That in all cases of assignments for the benefit of creditors under
34 this act, the assignee or assignees, shall be considered as representing the rights
35 and interests of the creditors of the debtor or debtors making the assignment as
36 against all transfers and conveyances of property which may be held to be
37 fraudulent or void as to creditors, and shall have all the rights and remedies
38 which such creditors would have to avoid such fraudulent conveyances and
39 transfers."

40 "Section 19. The county judge of the county where the assignment is
41 recorded, may upon the application of the assignee, for good and sufficient
42 cause shown, and on such terms, and in such manner as he may direct,
43 authorize the assignee to compromise, compound or sell any claim or debt
44 belonging to the estate of the debtor. But such authority shall not prevent
45 any party interested in the trust estate, from showing upon the final account-
46 ing of such assignee, that such debt or claim was fraudulently or negligently
47 compounded, compromised or sold."

1. Introduced by Mr. Bell, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Banks and Banking, also 500 copies ordered printed for use of Committee.

A BILL

For An Act to establish a General Banking Law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That on a ratification of this act by a vote of
3 the People in accordance with the Constitution of this State, it shall be
4 lawful to form banks and banking associations for the purpose of discount
5 and deposit, and to buy and sell exchange and do a general banking busi-
6 ness, excepting only issuing bills to circulate as money.

§ 2. When any person or association of persons desire to avail them-
2 selves of the provisions of this act, he or they may apply to the Auditor
3 for permission to organize, stating their place of business, the amount of
4 capital and name under which he or they desire to organize; and the
5 Auditor shall issue to him or them a permit to organize. But no permit
6 shall be issued to more than one person or association of the same name;
7 and all persons or associations formed under this act shall have their
8 capital stock divided into shares of one hundred dollars each.

§ 3. As soon as may be after receipt of authorization books of subscrip-
2 tion to the capital stock may be opened, and when the capital stock shall
3 have been fully subscribed for a meeting of the subscribers to the stock
4 of such association shall be called (each subscriber having had at least
5 three days' notice) for determination of the number and election of direc-
6 tors to serve as managers for one year, and until their successors are

7 elected. And no director shall be elected unless he shall have received at
8 least a majority of the shares of the association; and the voting may be
9 done by person or by proxy.

§ 4. The directors so elected may proceed to organize by the election
2 of one of their own number as president, and may appoint the necessary officers
3 and employes, and fix their salaries, to carry on the business of the asso-
4 ciation, and make by-laws not inconsistent with this act for the govern-
5 ment of the association; and they shall take and subscribe to an oath,
6 such as the Auditor shall prescribe, of fealty to the association of which
7 they are directors, and that they will not knowingly violate the provisions
8 of this act. And they will cause to be kept suitable books of record of
9 all the transactions of the association. And in case of a person organizing
10 a bank under the provisions of this act, he shall cause to be kept like
11 records, and such records shall be open for the inspection of the Auditor
12 or any person he may appoint for that purpose, and shall furnish to the
13 Auditor lists of the stockholders, and copies of any other records the
14 Auditor may require. And there shall be an annual meeting of the stock-
15 holders for the election of directors each year on the first Monday in
16 January, unless some other date shall be fixed in the by-laws of the asso-
17 ciation.

§ 5. When the directors have organized as in section 4 of this act,
2 and the capital stock of such association or person shall have been all
3 fully paid in and record of the same laid before the Auditor, he shall by
4 himself, or some discreet person of his appointment, make a thorough
5 examination into the affairs of such person or association, and if satisfied
6 the authorized capital has been paid in, and that the person or association
7 has the full amount dedicated to the business, he shall give him or them
8 a written or printed certificate under seal, authorizing him or them to
9 commence the business of banking. And said certificate and the permit
10 issued in accordance herewith, duly certified by said Auditor, shall be filed
11 and recorded in the office for the recording of deeds in the county where
12 such bank is organized, and the original or a certified copy thereof shall

13 be evidence in all courts of the existence and authority of said corpora-
14 tion to do business. Upon the recording of said certificate and permit
15 said bank shall be deemed fully organized and may proceed to business.

§ 6. The shareholder of each person or association formed under the
2 provisions of this act shall be held individually responsible equally and
3 ratably, and not one for the other, for all contracts, debts and engage-
4 ments of such person or association to the extent of the amount of their
5 stock therein at the par value thereof, in addition to the amount invested
6 in such shares; and in case of the transfer of such shares the liability
7 shall continue for a period of six months after the transfer of such
8 shares.

§ 7. Any and all persons and associations organizing under the provisions
2 of this act shall make to the Auditor a report according to the form
3 which may be prescribed by him, verified by oath or affirmation of the
4 president or cashier of such person or association, which report shall exhibit
5 in detail and under appropriate heads the resources and liabilities of such
6 bank or association before the commencement of business on the morning
7 of any day he may choose; and he shall call for such reports at least
8 four times each year, and the officers of said banks shall transmit the
9 same to the Auditor within five days after receiving call for the same; and
10 any bank failing to make and transmit such report shall be subject to a
11 penalty of one hundred dollars for each day after five days that such
12 report is delayed beyond that time. And he shall cause such report to be
13 published at the expense of such bank in some newspaper published in
14 the city or town where such bank is located; or if no newspaper is pub-
15 lished in such town, then in the nearest newspaper to such town.

§ 8. The Auditor, as often as he shall deem necessary or proper, and
2 at least once in each year, shall appoint a suitable person or persons to
3 make an examination of the affairs of every bank established under the
4 provisions of this act, which person shall not be a stockholder or officer
5 or employe of any bank which he may be directed to examine, and who

6 shall have power to make a thorough examination into all the affairs of
7 the bank, and in so doing to examine any of the officers or agents or
8 employes thereof on oath, and shall make a full and detailed report of
9 the condition of the bank to the Auditor; and the bank shall not be
10 subject to any other visitorial power than such as may be authorized by
11 this act, except such as are vested in the several courts of law and
12 chancery. And every person appointed to make such examination shall
13 receive for his services at the rate of five dollars for each day by him
14 employed in such examination, and two dollars for each twenty-five miles
15 he shall necessarily travel in the performance of his duty, which shall be
16 paid to them by the bank examined.

§ 9. Banks organized under this act may carry as assets the real estate
2 necessary in which to do its business of banking, and such other real
3 estate to which it may obtain title in the collection of its debts, but
4 shall not carry in its assets any real estate except its banking house for
5 a period of more than five years after acquiring title to the same.

§ 10. Banks may be organized under this act in towns and cities of not
2 over ten thousand inhabitants with capital of not less than fifty thousand
3 dollars; and in all cities and towns above ten thousand inhabitants may be
4 organized with not less than one hundred thousand dollars capital stock.
5 And should the capital of any bank organized under this act become impaired,
6 the Auditor shall give notice to the president to have the impairment made
7 good by assessment of the stockholders or a reduction of the capital stock of
8 such bank, if the reduction should not bring the capital below the provision
9 of this section; and if the capital stock of said bank shall remain impaired for
10 thirty days after notice by the Auditor, he shall have power, and it is hereby
11 made his duty, to enter suit against each stockholder in the name of the
12 People of the State of Illinois for the use of said bank for his or her pro rata
13 proportion of such impairment, and when collected shall pay over the amount
14 thereof to said bank, and the judgment in such case shall be for the amount
15 claimed with all costs and reasonable attorneys' fees, which fees shall be fixed

16 by the court; or he may, in his discretion, file a bill in the circuit court of
17 the county in which said bank is located, in the name of the People of the
18 State of Illinois, against said bank and its stockholders for the appointment
19 of a receiver for the winding up of the affairs of said bank. And said court,
20 upon the presentation of said bill, and upon being made satisfied that the
21 capital of said bank has become impaired, shall immediately appoint a
22 competent and disinterested person as such receiver, and shall determine and
23 fix his bonds, and shall prescribe his duties. And said cause shall proceed as
24 other cases in equity.

§ 11. It shall be the duty of the Secretary of State for this State
2 to submit this act to a vote of the people for their ratification, according
3 to article XI., section 5 of the Constitution of this State, at the next general
4 election, and the question shall be for the general banking law or against the
5 general banking law. And if approved by a majority of the votes cast at
6 such election for or against such law, the Governor shall thereupon issue his
7 proclamation that this act is then in force.

§ 12. The Legislature may at any time alter or amend this act.



1. Introduced by Mr. Bell, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Banks and Banking.
3. Reported back March 15, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to establish a General Banking Law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That on a ratification of this act by a vote of
3 the People in accordance with the Constitution of this State, it shall be
4 lawful to form banks and banking associations for the purpose of discount
5 and deposit, and to buy and sell exchange and do a general banking busi-
6 ness, excepting only issuing bills to circulate as money.

§ 2. When any person or association of persons desire to avail them-
2 selves of the provisions of this act, he or they may apply to the Auditor
3 for permission to organize, stating their place of business, the amount of
4 capital and name under which he or they desire to organize; and the
5 Auditor shall issue to him or them a permit to organize. But no permit
6 shall be issued to more than one person or association of the same name;
7 and all persons or associations formed under this act shall have their
8 capital stock divided into shares of one hundred dollars each.

§ 3. As soon as may be after receipt of authorization, books of subscrip-
2 tion to the capital stock may be opened, and when the capital stock shall
3 have been fully subscribed for a meeting of the subscribers to the stock
4 of such association shall be called (each subscriber having had at least
5 three days' notice) for determination of the number and election of direc-
6 tors to serve as managers for one year, and until their successors are

7 elected. And no director shall be elected unless he shall have received at
8 least a majority of the shares of the association; and the voting may be
9 done by person or by proxy.

§ 4. The directors so elected may proceed to organize by the election
2 of one of their own number as president, and may appoint the necessary officers
3 and employes, and fix their salaries, to carry on the business of the asso-
4 ciation, and make by laws not inconsistent with this act for the govern-
5 ment of the association; and they shall take and subscribe to an oath,
6 such as the Auditor shall prescribe, of fealty to the association of which
7 they are directors, and that they will not knowingly violate the provisions
8 of this act. And they will cause to be kept suitable books of record of
9 all the transactions of the association. And in case of a person organizing
10 a bank under the provisions of this act, he shall cause to be kept like
11 records, and such records shall be open for the inspection of the Auditor
12 or any person he may appoint for that purpose, and shall furnish to the
13 Auditor lists of the stockholders, and copies of any other records the
14 Auditor may require. And there shall be an annual meeting of the stock
15 holders for the election of directors each year on the first Monday in
16 January, unless some other date shall be fixed in the by-laws of the asso-
17 ciation.

§ 5. When the directors have organized as in section 4 of this act,
2 and the capital stock of such association or person shall have been all
3 fully paid in and record of the same laid before the Auditor, he shall by
4 himself, or some competent person of his appointment, make a thorough
5 examination into the affairs of such person or association, and if satisfied
6 the authorized capital has been paid in, and that the person or association
7 has the full amount dedicated to the business, he shall give him or them
8 a written or printed certificate under seal, authorizing him or them to
9 commence the business of banking. And said certificate and the permit
10 issued in accordance herewith, duly certified by said Auditor, shall be filed
11 and recorded in the office for the recording of deeds in the county where
12 such bank is organized, and the original or a certified copy thereof shall

13 be evidence in all courts of the existence and authority of said corpora-
 14 tion to do business. Upon the recording of said certificate and permit
 15 said bank shall be deemed fully organized and may proceed to business.

1 6. The shareholder of each person or association formed under the
 2 provisions of this act shall be held individually responsible equally and
 3 ratably, and not one for the other, for all contracts, debts and engage-
 4 ments of such person or association to the extent of the amount of their
 5 stock therein at the par value thereof, in addition to the amount invested
 6 in such shares, and in case of the transfer of such shares the liability
 7 shall continue for a period of six months after the transfer of such
 8 shares.

1 7. Any and all persons and associations organizing under the provisions
 2 of this act shall make to the Auditor a report according to the form
 3 which may be prescribed by him, verified by oath or affirmation of the
 4 president or cashier of such person or association, which report shall exhibit
 5 in detail and under appropriate heads the resources and liabilities of such
 6 bank or association before the commencement of business on the morning
 7 of any day he may choose; and he shall call for such reports at least
 8 four times each year, and the officers of said banks shall transmit the
 9 same to the Auditor within five days after receiving call for the same; and
 10 any bank failing to make and transmit such report shall be subject to a
 11 penalty of one hundred dollars for each day after five days that such
 12 report is delayed beyond that time. And he shall cause such report to be
 13 published at the expense of such bank in some newspaper published in
 14 the city or town where such bank is located; or if no newspaper is pub-
 15 lished in such town, then in the nearest newspaper to such town.

1 8. The Auditor, as often as he shall deem necessary or proper, and
 2 at least once in each year, shall appoint a suitable person or persons to
 3 make an examination of the affairs of every bank established under the
 4 provisions of this act, which person shall not be a stockholder or officer
 5 or employe of any bank which he may be directed to examine, and who

6 shall have power to make a thorough examination into all the affairs of
7 the bank, and in so doing to examine any of the officers or agents or
8 employes thereof on oath, and shall make a full and detailed report of
9 the condition of the bank to the Auditor; and the bank shall not be
10 subject to any other visitorial power than such as may be authorized by
11 this act, except such as are vested in the several courts of law and
12 chancery. And every person appointed to make such examination shall
13 receive for his services at the rate of five dollars for each day by him
14 employed in such examination, and two dollars for each twenty-five miles
15 he shall necessarily travel in the performance of his duty, which shall be
16 paid to them by the bank examined.

§ 9. Any bank organized under this act may carry as assets the real estate
2 necessary in which to do its banking business, and such other real
3 estate to which it may obtain title in the collection of its debts, but
4 shall not carry in its assets any real estate except its banking house for
5 a period of more than five years after acquiring title to the same.

§ 10. Banks may be organized under this act in towns and cities of not
2 over ten thousand inhabitants with capital of not less than fifty thousand
3 dollars; and in all cities and towns above ten thousand inhabitants may be
4 organized with not less than one hundred thousand dollars capital stock.
5 And should the capital of any bank organized under this act become impaired,
6 the Auditor shall give notice to the president to have the impairment made
7 good by assessment of the stockholders or a reduction of the capital stock of
8 such bank, if the reduction should not bring the capital below the provision
9 of this section; and if the capital stock of said bank shall remain impaired for
10 thirty days after notice by the Auditor, he shall have power, and it is hereby
11 made his duty, to enter suit against each stockholder in the name of the
12 People of the State of Illinois for the use of said bank for his or her pro rata
13 proportion of such impairment, and when collected shall pay over the amount
14 thereof to said bank, and the judgment in such case shall be for the amount
15 claimed with all costs and reasonable attorneys' fees, which fees shall be fixed

16 by the court, or he may in his discretion file a bill in the circuit court of
 17 the county in which said bank is located, in the name of the people of the
 18 State of Illinois, against said bank and its stockholders for the appointment
 19 of a receiver for the winding up of the affairs of said bank. And said court,
 20 upon the presentation of said bill, and upon being made satisfied that the
 21 capital of said bank has become impaired, shall immediately appoint a com-
 22 petent and disinterested person as such receiver, and shall determine and fix
 23 his bonds, and shall prescribe his duties. And said cause shall proceed as
 24 other cases in equity.

§ 11. It shall be the duty of the Secretary of State for this State to sub-
 2 mit this act to a vote of the people for their ratification, according to arti-
 3 cle XI, section 5, of the Constitution of this State, at the next general elec-
 4 tion and the question shall be "for the general banking law" or "against the
 5 general banking law." And if approved by a majority of the votes cast at
 6 such election for or against such law, the Governor shall thereupon issue his
 7 proclamation that this act is then in force.

§ 12. The Legislature may at any time alter or amend this act.

AMENDMENTS.

Amend section 3, in line nine, (9) after the word "proxy" by adding "and
 2 at such election the subscribers or stockholders shall have the right to vote
 3 for the number of shares owned or subscribed by him for as many persons
 4 as there are directors to be elected, or to cumulate such shares and give one
 5 candidate as many votes as the number of directors multiplied by the num-
 6 ber of his shares of stock shall equal, or to distribute them on the same
 7 principle among as many candidates as he shall deem proper."

8 Also, in line four (4) of section five, (5) after the word "some," strike out
 9 the word "discreet" and insert in lieu thereof the word "competent."

10 Also amend section 6 by striking out all in paragraph six, (6) after the
 11 word "shares," in line six (6) of printed bill, and insert in lieu thereof "and

12 it is hereby made the duty of the president and cashier, within thirty (30)
13 days after organization, to file in the office of circuit clerk of the county in
14 which such bank is situated a certified list of all the stockholders, and giving the
15 number of shares of stock held by each, and thereafter not later than ten
16 (10) days after any transfer of stock occurs, and no transfer of stock shall
17 operate as a release of liability provided for in this section unless the trans-
18 fer appears on the books of said corporation."

19 Amend section seven, (7) in line ten, (10) after the word "report," insert
20 "or to comply with any provision of this act."

21 Also in line twelve (12) of said section, after the word "report," insert "or
22 certified list."

23 Amend section nine (9) by inserting after the figure "9" in first line by
24 inserting the word "any."

25 Also in the same line of said section strike out the letter "s" from the
26 word "banks;" also in line two (2) of said section, after the word "do," strike
27 out the words "its business of banking" and insert "their banking business."

28 Amend section 10 by inserting after the word "not," in line two, the fol-
29 lowing: "over five thousand inhabitants, with capital of not less than twenty
30 five thousand dollars; and in cities and towns not."

1. Introduced by Mr. Bell, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to Committee on Banks and Banking.
3. Reported back March 15, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 26, 1887, amended and made special order for March 29, 1887, after reading of journal.
5. March 29, 1887, amended, and ordered to third reading.

A BILL

For An Act to establish a General Banking Law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That on a ratification of this act by a vote of the people in accordance with the constitution of this State, it shall be lawful to form banks and banking associations for the purpose of discount and deposit, and to buy and sell exchange and do a general banking business, excepting only issuing bills to circulate as money.

§ 2. When any person or association of persons desire to avail themselves of the provisions of this act, he or they may apply to the Auditor for permission to organize, stating their place of business, the amount of capital and name under which he or they desire to organize; and the Auditor shall issue to him or them a permit to organize. But no permit shall be issued to more than one person or association of the same name; and all persons or associations formed under this act shall have their capital stock divided into shares of one hundred dollars each.

§ 3. As soon as may be after receipt of authorization, books of subscription to the capital stock may be opened, and when the capital stock shall have been fully subscribed for a meeting of the subscribers to the stock

4 of such association shall be called (each subscriber having had at least
 5 three days' notice) for determination of the number and election of direc-
 6 tors to serve as managers for one year, and until their successors are
 7 elected. And no director shall be elected unless he shall have received votes
 8 representing at least a majority of the shares of the association; and the voting
 9 may be done by person or by proxy, and at such election the subscribers or
 10 stockholders shall have the right to vote for the number of shares owned or
 11 subscribed by him for as many persons as there are directors to be elected, or
 12 to cumulate such shares and give one candidate as many votes as the number
 13 of directors multiplied by the number of his shares of stock shall equal, or to
 14 distribute them on the same principle among as many candidates as he shall
 15 deem proper.

§ 4. The directors so elected may proceed to organize by the election of
 2 one of their number as president, and may appoint the necessary officers and
 3 employes, and fix their salaries, to carry on the business of the association,
 4 and make by-laws (not inconsistent with this act) for the government of the
 5 association; and they shall take and subscribe to an oath, such as the Auditor
 6 shall prescribe, of fealty to the association of which they are directors, and
 7 that they will not knowingly violate the provisions of this act. And they will
 8 cause to be kept suitable books of record of all the transactions of the asso-
 9 ciation. And in case of a person organizing a bank under the provisions of
 10 this act, he shall cause to be kept like records, and such records shall be open
 11 for the inspection of the Auditor or any person he may appoint for that pur-
 12 pose, and shall furnish to the Auditor lists of the stockholders, and copies of
 13 any other records the Auditor may require. And there shall be an annual
 14 meeting of the stockholders for the election of directors each year on the first
 15 Monday in January, unless some other date shall be fixed in the by-laws of the
 16 association.

§ 5. When the directors have organized, as in section 4 of this act,
 2 and the capital stock of such association or person shall have been all
 3 fully paid in and record of the same laid before the Auditor, he shall by

4 himself, or some competent person of his appointment, make a thorough
5 examination into the affairs of such person or association, and if satisfied
6 the authorized capital has been paid in, and that the person or association
7 has the full amount dedicated to the business, he shall give him or them
8 a written or printed certificate under seal, authorizing him or them to
9 commence the business of banking. And said certificate and the permit
10 issued in accordance herewith, duly certified by said Auditor, shall be filed
11 and recorded in the office for the recording of deeds in the county where
12 such bank is organized, and the original or a certified copy thereof shall
13 be evidence in all courts of the existence and authority of said corporation
14 to do business. Upon the recording of said certificate and permit said bank
15 shall be deemed fully organized and may proceed to business.

§ 6. The shareholder of each person or association formed under the
2 provisions of this act shall be held individually responsible equally and
3 ratably, and not one for the other, for all contracts, debts and engagements
4 of such person or association to the extent of the amount of their stock
5 therein at the par value thereof, in addition to the amount invested in
6 such shares; and in case of the transfer of such shares, and it is hereby
7 made the duty of the president and cashier, within thirty days after
8 organization, to file in the office of the recorder of deeds of the county in
9 which such bank is located, a certified list of all the stockholders, giving the
10 number of shares of stock held by each, and thereafter a certificate of all
11 transfers of stock, not later than ten days after such transfer. No transfer of
12 stock shall operate as a release of liability provided in this section until the
13 transfer is so recorded, and even such action shall not release his liability
14 on his unpaid stock.

§ 7. Any and all persons and associations organizing under the provisions
2 of this act shall make to the Auditor a report according to the form which
3 may be prescribed by him, verified by oath or affirmation of the president or
4 cashier of such person or association, which report shall exhibit in detail
5 and under appropriate heads the resources and liabilities of such bank or

6 association before the commencement of business on the morning of any
 7 day he may choose; and he shall call for such reports at least four times
 8 each year, and the officers of said banks shall transmit the same to the
 9 Auditor within five days after receiving call for the same; and any bank
 10 failing to make and transmit such report or to comply with any provisions of
 11 this act, shall be subject to a penalty of one hundred dollars for each day
 12 after five days that such report is delayed beyond that time. And he shall
 13 cause such report or certified list to be published at the expense of such
 14 bank in some newspaper published in the city or town where such bank is
 15 located; or if no newspaper is published in such town, then in the nearest
 16 newspaper to such town.

§ 8. The Auditor, as often as he shall deem necessary or proper, and at
 2 least once in each year, shall appoint a suitable person or persons to make
 3 an examination of the affairs of every bank established under the provisions
 4 of this act, which person shall not be a stockholder or officer or employe of
 5 any bank which he may be directed to examine, and who shall have power
 6 to make a thorough examination into all the affairs of the bank, and in so
 7 doing to examine any of the officers or agents or employes thereof on oath,
 8 and shall make a full and detailed report of the condition of the bank to
 9 the Auditor; and the bank shall not be subject to any other visitorial
 10 power than such as may be authorized by this act, except such as are
 11 vested in the several courts of law and chancery. And every person appointed
 12 to make such examination shall receive for his services at the rate of five
 13 dollars for each day by him employed in such examination, and two dollars for
 14 each twenty-five miles he shall necessarily travel in the performance of his
 16 duty, which shall be paid to them by the bank examined.

§19. Any bank organized under this act may carry as assets the real estate
 2 necessary in which to do its banking business, and such other real estate to
 3 which it may obtain title in the collection of its debts, but shall not carry
 4 in its assets any real estate except its banking house for a period of more
 5 than five years after acquiring title to the same.

§ 94. The total liabilities to any association, of any person, or of any company or firm, for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed one-tenth part of the amount of capital stock of such association actually paid in. But the discount of bills of exchange drawn, in good faith, against actually existing values, and the discount of commercial or business papers actually owned by the person negotiating the same shall not be considered as money borrowed.

§ 10. Banks may be organized under this act in towns and cities of not over five thousand inhabitants with capital of not less than twenty-five thousand dollars; and in all cities and towns above ten thousand inhabitants may be organized with not less than one hundred thousand dollars capital stock. And should the capital of any bank organized under this act be impaired, the Auditor shall give notice to the president to have the impairment made good by assessment of the stockholders or a reduction of the capital stock of such bank, if the reduction should not bring the capital below the provision of this section; and if the capital stock of said bank shall remain impaired for thirty days after notice by the Auditor, he shall have power, and it is hereby made his duty, to enter suit against each stockholder in the name of the People of the State of Illinois for the use of said bank for his or her pro rata proportion of such impairment, and when collected shall pay over the amount thereof to said bank, and the judgment in such case shall be for the amount claimed with all costs and reasonable attorney's fees, which fees shall be fixed by the court, or he may in his discretion file a bill in the circuit court of the county in which said bank is located, in the name of the People of the State of Illinois, against said bank and its stockholders for the appointment of a receiver for the winding up of the affairs of said bank. And said court, upon the presentation of said bill, and upon being made satisfied that the capital of said bank has become impaired, shall immediately appoint a competent and disinterested person as such receiver, and shall determine and fix his

23 bonds, and shall prescribe his duties. And said cause shall proceed as other
24 cases in equity.

§ 11. It shall be the duty of the Secretary of State for this State to sub-
2 mit this act to a vote of the people for their ratification, according to article
3 XI, section 5, of the Constitution of this State, at the next general election,
4 and the question shall be "for the general banking law" or "against the gen-
5 eral banking law." And if approved by a majority of the votes cast at such
6 election for or against such law, the Governor shall thereupon issue his
7 proclamation that this act is then in force.

1. Introduced by Mr. Crabtree, February 15, 1887, and ordered to first reading.
 2. First reading February 15, 1887, and referred to Committee on County and Township Organization.
 3. Reported back March 17, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section five of an act entitled "An act to indemnify the owners of sheep in case of damage committed by dogs," approved May 29, 1879, in force July 1, 1879, amended by act approved May 28, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section five of an act entitled "An act to
3 indemnify the owners of sheep in case of damage committed by dogs," approved
4 May 29, 1879, in force July 1, 1879, amended May 28, 1881, in force July 1,
5 1881, be amended so as to read as follows, to-wit:
6 "Section 5. No person having sheep killed or injured, as aforesaid, shall
7 be entitled to receive any portion of the funds herein provided for, unless he
8 shall appear before the nearest justice of the peace who can be found, within
9 three days from the time when such injury or damages is discovered, and
10 make affidavit stating the number of sheep killed or injured, that the name of the
11 owner or keeper of the dog or dogs which destroyed or injured the applicant's
12 sheep is or are unknown, or if known, then stating the name, and
13 that such owner or keeper is insolvent, and that the applicant
14 has received no compensation from the owner or keeper, or any
15 other person, for the damage sustained; and thereupon the said justice
16 of the peace shall enter the same on his docket in the same manner as other
17 suits are docketed, and shall proceed to hear testimony of one or more free-

18 holders as to the number and value of the sheep killed or injured, and from
19 such evidence shall find the damages sustained, and shall make a record of
20 his finding as of judgment in other cases. He shall upon the request of the
21 applicant in such proceeding, make a certified copy from his docket of said
22 proceeding, and the same with the original affidavit of the applicant, shall be
23 filed with the county treasurer in counties not under township organization,
24 and in counties under township organization with the supervisor of the town
25 in which such sheep were injured or destroyed, within ten days thereafter,
26 and when so filed, shall be sufficient evidence of loss or damage by dogs as
27 aforesaid, and the license fund as aforesaid shall be paid out thereupon on
28 the third Monday of March, in each year, as hereinbefore provided.”

1. Introduced by Mr. Humphrey, February 15, 1887, and ordered to first reading.
2. First reading, February 15, 1887, and referred to Committee on Municipalities.
3. Reported back, May 4, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the incorporation of metropolitan towns and the management of their affairs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, as follows:* Metropolitan towns may become in-
3 corporated as hereinafter set forth, but no metropolitan town shall contain
4 less than five hundred thousand inhabitants nor less than five townships, and
5 may embrace within its boundary one or more cities, incorporated towns and
6 villages, and any township or other municipality, and lying wholly within the
7 same county. In counties under township organization, the word townships,
8 as used in this section and section six of this act, shall be construed to mean
9 those parts of the county commonly known as towns, as the same shall have
10 been constituted under the constitution and laws in relation to township
11 organization, whether the same conform to the congressional townships or not.
12 In all other counties the word townships shall mean congressional townships.

§ 2. A petition may be filed in the office of the county clerk of the county
2 in which the territory proposed to be incorporated under this act is situated,
3 signed by at least legal voters residing in such territory, which
4 petition shall be substantially in the following form, to-wit:

5 (Date).....

6 To the County Clerk of County, State of Illinois.

7 WHEREAS, It is proposed to organize a metropolitan town under an act en-
8 titled (here give title of act), to be bounded as follows:

9 (Here give boundaries) to be called the metropolitan town of

10 We, the undersigned, legal voters residing within the limits of the proposed
11 town do therefore request you to call a special election to determine whether
12 the inhabitants of said territory will become incorporated under said act and
13 that you give notice as the law requires.

14 Dated this day of

§ 3. The question of so becoming incorporated shall be submitted to the
2 electors within the territory described in such petition at the election ap-
3 pointed by law to be held therein on Tuesday after the first Monday in
4 November next after the filing of such petition, provided twenty days
5 shall intervene between the time of filing such petition and the day of
6 election.

§ 4. Upon the filing of such petition (if the same is filed in time) the
2 county clerk shall give at least twenty days notice of such election in the
3 manner provided by general law for giving notice of special elections. The
4 notice may be substantially as follows:

NOTICE—ELECTION TO INCORPORATE METROPOLITAN TOWN.

5 Notice is hereby given that at the election to be held on Tuesday next
6 after the first Monday in November, 18 . . . , the question will be submitted
7 to the legal voters in the various election districts and precincts included
8 in the following described territory, to-wit: (Here insert the same de-
9 scription as in the petition) whether the inhabitants of said territory will be-
10 come incorporated as a metropolitan town under (here give title of this
11 act), to be called the metropolitan town of

12 Dated this day of

13

14 County Clerk of County.

§ 5 The ballots may be "For Metropolitan Town" or "Against Metro-
2 politan Town." The general election laws in force at the time of such
3 election in the several places in which the election is held shall apply to

4 such election, and the manner of canvassing the votes, making returns
5 thereof and determining the result, shall be the same as nearly as may
6 be as in the case of the election of county officers.

§ 6. If it shall appear that a majority of the votes cast for and against
2 such proposition in each of the townships included in the proposed metro-
3 politan town shall be "For Metropolitan Town," it shall be considered that
4 the inhabitants in said territory have elected to become incorporated under
5 this act and to have adopted its provisions.] If it shall appear that a majority
6 of the votes cast in each of five or more contiguous townships within the
7 boundaries of the proposed metropolitan town, and containing not less than
8 five hundred thousand inhabitants, shall be "For Metropolitan Town," and in
9 the other townships the majority shall be against such proposition, it shall be
10 considered that the inhabitants in those towns in which a majority is for
11 such proposition have elected to become incorporated under this act, and to
12 have adopted its provisions, and the boundaries of the proposed corporation
13 shall be so changed as to include only such townships as shall have so
14 adopted this act.

§ 7. As soon as the result of such election is ascertained the county clerk
2 shall make out and file in his office a certificate of the result thereof, and if
3 it shall appear that this act has been adopted he shall at the same time
4 transmit a copy of such certificate to the Governor. And when the commis-
5 sioners hereinafter provided for are appointed he shall make and deliver to
6 them a certified copy of the petition and notice with a certificate of the man-
7 ner in which the notice was given and a copy of said certificate of the result
8 of the election, which such commissioners shall cause to be entered at large
9 in the journal of their proceedings. Copies of such petition, notice, certificate
10 of publication and certificate of election made by the county clerk or by the
11 clerk of such town from said journal shall be received as competent evidence.

§ 8. All courts shall take judicial knowledge of the organization, existence
2 and powers of towns incorporated under this act.

§ 9. As soon as may be after the Governor shall have received said certificate he shall appoint four persons as commissioners of such town, who shall hold their offices until the first meeting of the General Assembly after the adoption of this act. At such first meeting of the General Assembly and every four years thereafter the Governor, by and with the advice and consent of the Senate, shall appoint four persons as such commissioners, designating the person each appointee is to succeed. The persons so appointed shall hold their offices for four years from the date of their appointment and until their respective successors are appointed and qualified, and in making such appointments no more than two of the persons so appointed shall be taken from the same political party. The Governor may remove any commissioner from office for cause shown to his satisfaction. He may ascertain and fill vacancies.

§ 10. The commissioners shall appoint a clerk, a treasurer (who shall be *ex-officio* collector), a chief engineer and an attorney of such municipality, who shall hold their respective offices during the pleasure of the board.

§ 11. The commissioners may also appoint such deputies and assistants to such officers as the business of their respective offices shall require, and discharge the same at pleasure.

§ 12. The commissioners may also appoint such agents and servants of the corporation as the business thereof may require, and discharge the same at pleasure.

§ 13. The commissioners, clerk, treasurer, engineer and attorney before entering upon the duties of their respective offices shall severally enter into bonds with at least three sureties, approved by a judge of the circuit court of the circuit in which such municipality may be situated, payable to the municipality and conditioned for the safe-keeping and payment of all moneys received by them, and the safe-keeping and delivery to their successors of all books, papers, records, vouchers and property belonging to their respective offices, and for the faithful performance of the duties of their respective offices according to law. Such bonds shall be in such penal sum as shall be

10 prescribed by resolution or ordinance, provided that of a commissioner, clerk,
11 chief engineer or attorney shall not be less than \$10,000, and that of the
12 treasurer less than \$100,000 or less than the amount which the commission
13 shall estimate will be in his hands from all sources during the term of his
14 office. Such bond shall, before the officer giving the same shall enter upon
15 the duties of his office, be filed for record in the recorder's office of the county
16 in which the municipality is situated, and when recorded, shall be kept in the
17 office of the clerk of the municipality, and such record and copies thereof duly
18 certified by the recorder shall be competent evidence in all courts and places.

§ 14. Said officers shall also before entering upon the duties of their offices
2 respectively take and subscribe the following oath of office:
3 "I do solemnly swear (or affirm, as the case may be) that I will support
4 the constitution of the United States and the constitution of the State of
5 Illinois, and that I will faithfully discharge the duties of the office of
6 according to the best of my ability," which
7 oath or affirmation shall be filed and kept in the office of the clerk. In all
8 prosecutions against any person required to take an oath under this act for
9 perjury, it shall be presumed that he took and subscribed such oath without
10 the same being produced.

§ 15. The commissioners shall be commissioned by the Governor, and all
2 officers appointed by the board of commissioners shall be commissioned by
3 the warrant under the corporate seal and signature of the president and clerk
4 of the board. But in all cases of appointments to office by the board, the
5 fact that such person appointed has given and filed his bond and oath of office
6 according to law shall be found and entered in the records of the board before
7 he shall enter upon the duties of his office.

§ 16. The board of commissioners may by resolution or ordinance require
2 of such deputies, agents and assistants as they may appoint, bond in such
3 penalties as they shall prescribe, but in all cases such bonds shall be approved,
4 conditioned, recorded, proved and kept in like manner as herein provided in
5 regard to the principal officers. A deputy of any of said officers shall take

6 the same oath as is required of his principal, which oath shall be f' d in the
7 office of the clerk.

§ 17. The commissioners shall severally receive as compensation for their
2 services the sum of \$5,000 per annum, payable in quarterly payments. The
3 other officers, deputies, agents and employes of the municipality shall receive
4 such compensation for their services as shall be fixed by the board of
5 commissioners. The salaries of the clerk, treasurer, chief engineer, attor-
6 ney, deputies and principal agents and employes shall be fixed by ordi-
7 nance and shall not be changed within one year from the time they are
8 so fixed, and no person shall in any case be paid more than the price fixed
9 upon before the services shall have been performed.

§ 18. The clerk shall attend the meetings of the board of commission-
2 ers and keep a complete record of the proceedings, resolutions and ordi-
3 nances of the board in a journal to be kept for that purpose. He shall keep
4 a record of ordinances, in which shall be recorded at large all ordinances
5 which shall be passed by the board, and when any ordinance or part thereof
6 is repealed he shall enter upon the margin thereof the date of such repeal,
7 and if modified, the date of modification and the page of the record where
8 the modification is to be found.

§ 19. He shall be keeper of the records and papers of the corporation
2 (subject to such regulations and use as the board may prescribe), and of
3 the corporate seal, and copies of the journals, records and papers of which
4 he is keeper, certified by him under the corporate seal, shall be evidence
5 in all courts in like manner as the originals would be if produced.

§ 20. The treasurer shall receive and safely keep the moneys of the
2 municipality and disburse and pay over the same pursuant to law and
3 direction of the board of commissioners.

§ 21. He may be required by the board to keep the money of the
2 municipality in such place or places of deposit as it shall by ordinance
3 direct, or he may be required to deposit the same or part thereof in a
4 regularly organized bank or banks of deposit, but no such deposit shall be

5 authorized or made in any bank, except the name of the bank and the
6 amount that may be on deposit therein at one time shall be specified in
7 the order directing such deposit, and until such bank shall have given
8 bond with security to be approved by the treasurer and the board, in a
9 penal sum sufficient to secure such deposit, payable to the town and con-
10 ditioned to pay the same out as may be ordered by the treasurer or the
11 board and to save the municipality from all loss on account of such deposit,
12 and to pay to said municipality whatever interest or allowance that may
13 have been agreed upon for such deposit.

§ 22. The treasurer shall keep all moneys belonging to such town or
2 intrusted to his keeping separate and distinct from his own moneys and
3 deposit the same as directed by said board, and shall not directly or in-
4 directly use, loan or invest the same for his own benefit or discount, or
5 make any profit from the same or appropriate to his own use any com-
6 pensation or allowance for any deposit of such money, or deposit the same
7 except as directed. For every violation of this section he shall be deemed
8 guilty of embezzlement, and upon conviction shall be imprisoned in the
9 penitentiary not less than one year nor more than ten years, and he and his
10 sureties shall be liable upon his bonds for double the amount of all dam-
11 ages and losses that may result from such misconduct.

§ 23. The treasurer shall keep full and perfect books of account which
2 shall always be subject to the inspection of the commissioners. In the
3 manner of keeping and rendering his accounts he shall be subject to the
4 directions of the commissioners, except as herein otherwise provided.

§ 24. He shall keep a separate account for each appropriation or fund
2 and of each special assessment.

§ 25. He shall annually within ten days after the close of the fiscal
2 year make out and file with the clerk a full detailed account of all receipts
3 and expenditures during the preceding fiscal year. He shall show in such
4 account the state of the treasury as to each and every fund at the close
5 of the fiscal year.

§ 26. He shall also at the end of each fiscal year, and oftener if required by the board of commissioners, make final settlement with the board, who shall on the yearly settlement count the funds in his hands for all purposes and cause to be entered on the journal of their proceedings the result of such settlement and the state of each fund at the time of such yearly settlement, and cause the same to be published in some newspaper published in such municipality, if any is published therein, if not, in some other way.

§ 27. No money shall be paid out of the treasury except upon an order signed by the clerk and countersigned by the treasurer stating the fund or appropriation to which the same is chargeable and the person to whom payable. When the fund is raised by special assessment it shall state the number of the assessment. No warrant in excess of the funds upon which it purports to be drawn, or when such a fund has not been legally provided, shall be valid.

§ 28. No order shall be drawn upon the treasury except in payment of itemized bill rendered the town and allowed by the board, and a minute allowance stating the amount thereof, the name of the person to whom it is allowed and on what account and out of what fund it is payable.

§ 29. The clerk shall keep a book to be called the "Bill and Order Book," in which he shall enter all accounts presented, with the number (they shall be numbered in the order of their presentation) and amount thereof, whether allowed, the amount of the allowance, and when a warrant is drawn the date, number and amount of the order, and when settlement with the treasurer is made, the date of payment shall also be entered thereon. These entries shall be made in proper columns opposite the first entry, so as to show in one place the history of each bill and warrant

§ 30. Before any order is delivered to the payee, it shall be presented by the clerk to the treasurer and be countersigned by him. He shall not countersign any order before the same is filled up nor until he has examined the records of the board and finds that the paying of such order is

5 warranted thereby, and has also examined the clerk's "Bill and Order Book,
6 and found the proper entries made therein.

§ 31. The treasurer when he countersigns an order shall make an entry
2 thereof in a book to be kept by him and known as treasurer's "Order Book,"
3 in which he shall give its number, date, amount and the name of the payee,
4 and when the order is paid he shall note the date of payment opposite such
5 entry and cancel the order in some indelible way.

§ 32. The treasurer shall at the end of each day exhibit to the clerk the
2 orders he has paid and canceled during the day, and the clerk shall enter in
3 the proper columns in his "Bill and Order Book" the date of payment thereof.

§ 33. Before the clerk shall deliver to any person entitled thereto any order
2 on the treasurer he shall take from such person a receipt upon the bill or
3 voucher attached thereto, showing the payment of the bill for the payment
4 of which the order is issued, which bill and receipt or voucher shall bear a
5 corresponding number with that entered in said "Bill and Order Book" and
6 shall be kept on file in his office.

§ 34. As soon as may be after the appointment of such commissioners and
2 their organization by the election of one of their number as president and
3 the appointment and qualification of a clerk, treasurer, chief engineer and
4 attorney, they shall publish a note stating that such metropolitan town is fully
5 organized and that the commissioners are ready to enter upon the duties of
6 their office; and upon the publication of such notice all lands, buildings, works,
7 utensils, material, plan, maps, books, papers, effects, right and property, which shall
8 then belong to any city, village, town or township, or drainage district, whether
9 formed by any special or local act or under any general law, included in whole or
10 in part within the boundaries of such municipality, and which are a part of or
11 belong or appertain to the water works, water department or supply of
12 water or to the sewerage department or the business of providing sewerage
13 and drainage for such city, village, town or township, or drainage district,
14 shall immediately vest in such incorporation, and such incorporation shall
15 thereupon become and be the legal successors to each and every such city,
16 village, town and township or drainage district in relation thereto with all

17 the powers and rights by them respectively at that time possessed and
18 subject to the same obligations and trusts as such city, village, town or
19 township held the same, except as herein otherwise provided.

§ 35. All moneys, whether raised by special assessment or appropriated
2 or called for out of public funds, for laying, putting in, constructing, re-
3 pairing or maintaining of any water works, water mains, water pipes,
4 sewerage or sewers, sewer pipes, ditches or drains and other works, and
5 which remain unexpended in the treasury or is coming to or is under the
6 control of any such city, village, town or township, or drainage district,
7 shall be turned over to such metropolitan town and paid into its treasury
8 subject to the same charges and rights as it was in the hands or under
9 control of such city, village, town or township, or drainage district, except
10 herein provided. And all uncollected special assessments and taxes on ac-
11 count of or for the maintenance of water works, pipes and sewers and all
12 uncollected water rates and water taxes shall become and be due and pay-
13 able to such metropolitan town as the successor of such city, village, town
14 and township for the same purposes as they were due and payable to such
15 city, village, town and township.

§ 36. All proceedings for the levying of any special assessment for the
2 construction, putting in, repairing or maintaining any water works, water
3 pipes, hydrants, sewer, drain, ditches or other work in connection with the
4 supply of water or of sewerage or drainage, and all suits and proceedings
5 to levy or enforce such an assessment commenced or about to be com-
6 menced in any court, may proceed and be completed, including all steps
7 required to collect the money in the name of the city, village, town or
8 township, or drainage district, that commenced the same, with like effect
9 as if such municipality had not become incorporated under this act, or
10 such municipality may proceed to carry forward the proceedings or suits
11 in its own name or in the name of such city, village, town or township,
12 or drainage district, for its use, but in all cases the money collected shall
13 be paid into the treasury of such municipality and be used for the pur-
14 poses for which it is levied.

§ 37. The organization of a municipality under this Act shall not affect
2 suits or proceedings pending or right to liability existing at the time of
3 such organization in relation to the matters committed to such munici-
4 pality and its officers, except as herein provided, but the same shall,
5 except as herein provided, proceed and be enforced to the same end and
6 purpose and for the benefit of or against the same fund or works as
4 originally intended.

§ 38. Such municipality shall also succeed to all the liabilities and in-
2 debtedness, bonded and otherwise, of each and every city, village, town
3 and township, or drainage district, which is included within its boundaries
4 and which was incurred on account of its water works or sewerage, and
5 such metropolitan town shall pay and discharge the same out of the proper
6 funds in like manner as nearly as may be and to the same effect as such
7 city, village, town or township, or drainage district may be at that time
8 obligated and shall hold it harmless therefrom.

§ 39. All contracts and agreements which may be subsisting and unper-
2 formed in whole or in part between such city, village, town or township,
3 or drainage district, and any other person or corporation pertaining to any
4 such water works or sewerage may be enforced by or against such met-
5 ropolitan town in like manner and to the same extent that the same might
6 have been by or against such city, village, town or township if such mu-
7 nicipal town had not been formed.

§ 40. If in consequence of anything contained in this act it shall at any
2 time appear that an inequality of burdens or benefits has been produced as
3 between different parts of the territory included in such municipality, it
4 shall be the duty of such commissioners to ascertain the same and so use
5 and apply the public funds under their control in the laying of water
6 mains, construction of sewer and other works, and by the application of the
7 power to make special assessments, as to correct as far as may be such
8 inequality.

§ 41. To the same end it shall be the policy of the commissioners to
2 do such work as is of general benefit at the general expense, to be paid

3 for out of the general funds of the corporation, and such work as is of
4 local benefit by special assessment upon the property benefited. When
5 water is required for any locality the commissioners shall establish a pump-
6 ing district of suitable size for its supply, and the erection of pumping
7 works and putting in of water pipes, within such district, shall be done
8 by special assessment upon the property benefited, so that property that has
9 already such works and pipes shall not be taxed or assessed to pay for
10 pumping works and pipes without its pumping district. Main tunnels and
11 conduits and all works to supply water to the several pumping districts
12 shall be constructed and maintained at the general expense of the corporation.

§ 42. The board of commissioners shall establish the time and place for
2 holding its regular meetings.

3 Special meetings may be called by the president or any two members
4 of the board.

5 The president of the board shall preside at its meetings. In his absence
6 a president *pro tem.* may be chosen.

7 Three members shall constitute a quorum, but a smaller number may
8 adjourn from time to time.

9 The sessions of the board shall be with open doors.

§ 43. The clerk shall keep a journal of the proceedings of the board,
2 but the record of its proceedings must be approved by the board.

3 The yeas and nays shall be taken upon the passage of all ordinances
4 and on all propositions except that to adjourn.

§ 44. It shall be necessary for the adoption of any proposition or motion,
2 except that to adjourn, that at least three of the members of the board
3 vote in favor of it.

§ 45. Any vote passed may be reconsidered or rescinded at the meeting
2 that passed it, or at the next regular meeting, or at a special meeting
3 called for that purpose and held before such regular meeting.

§ 46. The style of ordinance shall be: Be it ordained by the Board of
2 Commissioners of the Metropolitan Town of.....

§ 47. All ordinances shall within one month after they are passed be
2 published at least once in a newspaper published in the municipality, or
3 if no such newspaper is published therein, in the newspaper published
4 nearest thereto; and no ordinance shall take effect until it is so published.

§ 48. All ordinances and the fact and date of publication may be proved
2 by the certificate of the clerk under the seal of the corporation, and when
3 printed in book and pamphlet form purporting to be published by authority
4 of the board such book or pamphlet shall be received as evidence of the
5 passage and legal publication of such ordinances as of the date therein
6 mentioned.

§ 49. The board of commissioners of any metropolitan town organized
2 under this Act shall have power to take charge of any and all water
3 works, sewers, drains, ditches and all property and works connected there-
4 with within such town, and to maintain and extend the same, and to
5 establish, construct and maintain other works for the supply of water,
6 and to furnish suitable sewerage and drainage, and to create, furnish and
7 let water-power, and to manage, use and protect the water supply and
8 sewerage and drainage, and all appliances in connection therewith, and make
9 all necessary rules and ordinances for these purposes.

§ 50. Such corporation may acquire by purchase, condemnation or other-
2 wise, and hold any and all real and personal property, right of way and
3 privilege, either within or without the corporate limits, that may be re-
4 quired for its purposes, and again, when not longer required, to sell, convey,
5 vacate and release the same.

§ 51. Whenever it shall be necessary either for the supply or use of
2 water or for the purposes of drainage or sewerage to construct any tunnel,
3 conduit, ditch, drain, sewer, water-way, dam, cut-off, pumping works or other
4 works without or beyond the corporation limits, the corporation shall have
5 power to do so, and for that purpose may enter upon any public or pri-
6 vate property, water-course, highway, railroad, canal, plank road, street,
7 alley or park and locate and construct the same, and may acquire the
8 necessary property and right of way therefor in the same manner as is

9 provided for acquiring private property within such corporation, and may
10 enter upon, use, widen, deepen and improve any navigable or other water,
11 water-way, canal, lake, highway and public ground, provided the public use
12 thereof shall not be unnecessarily interrupted or interfered with, and that
13 the same shall be restored to its former usefulness as soon as may con-
14 veniently be done. Such corporation shall have the same power and juris-
15 diction over any such tunnel, conduit, ditch, drain, sewer, water-way, dam,
16 cut-off, pumping works or other works and property and right of way out-
17 side its corporate limits as it may exercise within the same. And when a
18 water-way, drain or ditch shall have been or shall be about to be con-
19 structed, it may in the same way acquire on each side thereof the necessary
20 property and ground for spoil banks, deposit of material, passage ways, races,
21 abutments, approaches and other purposes, and when so acquired shall have
22 jurisdiction over the same for the management, use and protection of its
23 works, and the exercise of jurisdiction and control.

§ 52. The board of commissioners may by ordinance prescribe all useful
2 rules and regulations.

3 *Item 1.* For the construction, putting in, keeping in repair, maintaining
4 and use of water and water pipes, sewers and sewerage pipes, supplies and
5 connections.

6 *Item 2.* Fix and collect water rates, and levy and collect water taxes,
7 either against the property or person or both, as shall be provided, and
8 to make the same a lien upon real estate and cause the same to be cer-
9 tified to the county collector, who shall collect the same in the same way
10 as other taxes are collected.

11 *Item 3.* Providing for the cleansing and purification of waters, water-
12 courses and canals and the draining of or filling ponds and places where
13 water may stand or overflow, whenever necessary to prevent or abate a
14 nuisance or promote healthfulness.

1 *Item 4.* Prescribe fines and penalties as they shall deem requisite for the
2 enforcement of their ordinances; but no fines or penalty shall exceed the

3 sum of two hundred dollars for one offense, and no person shall be im-
4 prisoned more than six months for the same offense.

§ 53. Any justice of the peace or police magistrate shall have jurisdiction
2 in all cases arising under the provisions of this act or any ordinance
3 passed in pursuance hereof.

§ 54. The corporation may borrow money for corporate purposes and may
2 issue bonds therefor, but shall not become indebted in any manner or for
3 any purpose to an amount in the aggregate to exceed five per centum on
4 the valuation of taxable property therein, to be ascertained by the last
5 assessment for state and county taxes previous to the incurring of such
6 indebtedness.

§ 55. At the time or before incurring any indebtedness the board of
2 commissioners shall provide for the collection of a direct annual tax suf-
3 ficient to pay the interest on such debt as it falls due, and also to pay
4 and discharge the principal thereof as the same shall fall due and at least
5 within twenty years from the time of contracting the same, provided that
6 the net earnings from water rates and taxes may be appropriated and
7 applied to the purpose of paying the interest or principal of such indebted-
8 ness, or both, and to the extent that it will suffice the direct tax may be
9 remitted.

§ 56. No larger amount of money shall be borrowed in any one year
2 than shall be needed for that year, and the bonds issued therefor shall be
3 made to fall due in such order or at such times as that the money provided
4 for the payment of the principal can be applied therefor as often as once in
5 two years, provided the bonds or some of them so to be issued may be pay-
6 able in twenty years or any less time, with the option on the part of the cor-
7 poration to call them in and pay them at any time after five years from their
8 date.

§ 57. The fiscal year of such corporation shall commence on the first day
2 of January in each year.

3 The board of trustees shall within the last quarter of each fiscal year
4 pass an ordinance, to be termed the "Annual Appropriation Bill," in which

5 they may appropriate such sum or sums of money as may be deemed
6 necessary to defray all expenses and liabilities of the corporation for the
7 next ensuing fiscal year. They shall in such ordinance specify the several
8 purposes for which such appropriations are made and the amount for each
9 purpose. No other or further appropriations shall be made during such fiscal
10 year unless the proposition specifying each appropriation and the amount thereof
11 shall have been first sanctioned by a majority of the legal voters of such cor-
12 poration at a general or special election upon a call made therefor.

§ 58. No expense or outlay shall be incurred in excess of the appro-
2 priation applicable thereto, or where an appropriation therefor has not been
3 previously made, except as herein otherwise provided.

§ 59. No contract shall be made requiring any payment of money for
2 which an appropriation shall not have been previously made or the money
3 provided by special assessment, and for all contracts for work to be done in
4 whole or in part by special assessment the corporation shall not be liable
5 beyond the amount it shall receive from such assessment and the amount
6 provided to be paid on account of such work out of the fund appropriated
7 therefor before the contract is entered into.

§ 60. All contracts for work to be done by such municipality which is to
2 be paid for in whole or in part by special assessment, and all contracts
3 for work the expense of which will exceed five hundred dollars, shall be
4 let to the lowest responsible bidder in the manner prescribed by ordinance.
5 The contract shall be in writing and executed by the president and sec-
6 retary of the board of commissioners, specifying the terms of the contract,
7 and no contract for any such work shall bind such municipality which is
8 not in conformity with this section. No change in the plans of any work
8 after the same is so let shall entitle the contractor to increased or other
9 compensation, unless the increased price or compensation is previously agreed
10 upon in writing.

§ 61. When any work is to be done in whole or in part by special as-
2 sessment, all contracts for the doing of such work shall be made with
3 reference to that mode of payment, and the municipality shall not be

4 liable for the payment of so much of the cost of the work as is to be
5 paid by special assessment, except to the extent it shall have collected
6 such special assessment.

§ 62. The board of commissioners may levy and collect taxes for cor-
2 porate purposes, the aggregate amount of which in any one year shall not
3 exceed one dollar on each one hundred dollars valuation of the property
4 within the corporate limits as the same shall be equalized for state and
5 county taxes of the year preceding the levy.

§ 63. The said board shall annually, on or before the third Tuesday
2 in September in each year, ascertain the total amount that shall be nec-
3 essary to meet the appropriation for all purposes legally made and for
4 which there is no other sufficient means of providing, and by ordinance
5 specify in detail the purposes for which the same is required to be raised,
6 and the amount for each purpose, and the total amount for all such pur-
7 poses, and levy the amount so ascertained upon all the property subject
8 to taxation within such metropolitan town as the same is assessed and
9 equalized for state and county purposes for the current year. A certified
10 copy of such ordinance shall be filed with the county clerk of the county
11 in which such incorporation is situated, whose duty it shall be to ascer-
12 tain the rate per cent. upon the valuation of such property made as afore-
13 said, which will net an amount not less than the total amount so found
14 and levied in such ordinance, and it shall be the duty of the county clerk
15 to extend such tax in a separate column in the books of the collector or
16 collectors of state and county taxes within such metropolitan town.

§ 64. The tax so levied shall be collected and enforced in the same
2 manner and by the same officer as state and county taxes, and shall be paid
3 over by the officer collecting the same to the treasurer of the municipality
4 levying the same in the manner and at the time provided by the general
5 revenue law.

§ 65. When the taxes so levied are collected they shall be placed to the
2 credit of the respective appropriations for which they were levied, and shall

3 be paid out only upon the warrants drawn payable (on their face) out of
4 such fund; *Provided*, that this section shall not be construed to prevent
5 the board of commissioners from, in their annual appropriation ordinance,
6 transferring to the general fund any unused balance remaining and unre-
7 quired for the purposes of the appropriation, and again appropriating the
8 same to some other corporate purpose.

§ 66. The board of commissioners of any incorporation created by virtue
2 of this act shall have power to make any local improvement which may be
3 requisite or convenient, in the execution of the powers hereby granted to
4 such incorporation, by special assessment or by special taxation, or both, of
5 contiguous property, or by general taxation or partly by special assessment,
6 or otherwise, as they shall by ordinance prescribe.

§ 67. The manner of acquiring, taking or damaging private property,
2 and the proceeding for making just compensation therefor, and also the
3 manner of making, collecting and enforcing special assessments, shall be the
4 same as provided in article IX of an act entitled "an act to provide for
5 the incorporation of cities and villages," as the same is or shall be amended,
6 and words in said article referring to city and city council and officers
7 thereof shall be construed to also refer to any corporation formed under
8 this act and to corresponding officers of such corporation, and the said
9 article shall apply to metropolitan towns incorporated under this act the
10 same as to cities organized under said act.

§ 68. All proceedings taken and suits brought and contracts entered into
2 and acts done by the board of commissioners or any of the corporate
3 authorities shall be in the name of the corporation.

§ 69. When any assessment is made under this act the ordinance
2 authorizing such assessment may provide that it be divided into an-
3 nual installments, and fix the amount and time of payment of each
4 installment and, if they are to bear interest, the time when interest thereon
5 shall begin, and if the installments are to bear interest, the rate shall not
6 exceed 6 per centum per annum from the date so fixed, and the several

7 installments and interest thereon may be collected and enforced as they
8 shall become due in the manner provided for the enforcement of assessments
9 under said article nine. No more of any assessment need be returned or
10 certified to the county collector than will show the amount due and unpaid
11 at the time of such return. No judgment or sale of any lot, block or
12 parcel of land for any installment of an assessment shall discharge the
13 premises from any subsequent installment of the same assessment; and
14 proceedings for the collection of subsequent installments may be had in
15 the same manner as if no sale had been made for a previous one. Any one
16 or all of the installments may be paid at any time after the assessment is
17 confirmed, with accrued interest, if any, to the date of payment, which
18 payment shall abate interest upon the amount so paid from that date, and
19 if the whole assessment is so paid the same shall be satisfied and receipted
20 in full.

§ 70. Whoever shall wrongfully obstruct the said commissioners, their
2 agents or servants, in the doing of any work authorized to be done by
3 them, or shall fill up, cut, injure, destroy or in any manner impair the
4 usefulness of any water works, water pipes, drain, ditch, levee, lock, dam,
5 wier or other work constructed or being constructed or belonging to said
6 corporation, or interfere with the same without the consent of said com-
7 missioners, shall for each offense be fined not exceeding five thousand
8 dollars, or imprisoned in the county jail not exceeding one year, or both,
9 in the discretion of the court. This section shall not be held to be ex-
10 clusive, but the offender may be punished under any other law applicable
11 to the same.

§ 71. In addition to the penalties provided in this or any other act the
2 person wrongfully doing any injury to any drain, ditch, levee, or other
3 work belonging to such corporation, whereby damage shall accrue to it,
4 shall be liable to such corporation for all damages occasioned thereby, to
5 be recovered in any proper form of action.

AMENDMENTS TO SENATE BILL NO. 254, PROPOSED BY COMMITTEE ON MUNICIPALITIES.

Section 2. Insert "one thousand" in blank in line 3, printed bill.

2 Section 6. Strike out the words "votes cast for and against such proposition," and insert "electors voting at said election" in lieu thereof.

4 Section 25. Insert the words "under oath" after the word "out," in line 5 2, printed bill.

6 Section 27. Insert after the word "the" and before the word "clerk," in 7 line 2, printed bill, the following: "President of the Board; the."

8 Strike out sections 34, 35 and 36.

9 Change the number of section 37 to 34.

10 Strike out sections 38, 39, 40 and 41.

11 Change the number of section 42 to 35.

12 Change the number of section 43 to 36.

13 Change the number of section 44 to 37.

14 Change the number of section 45 to 38.

15 Change the number of section 46 to 39.

16 Change the number of section 47 to 40.

17 Change the number of section 48 to 41.

18 Strike out section 49, and insert the following in lieu thereof, to be numbered section 42:

20 "The board of commissioners of a metropolitan town, organized under this
21 act, shall have power and authority to devise a system of main water supply,
22 and to take charge of any and all main tunnels, conduits, cribs and works
23 for the main supply and delivery of water to the pumps or pumping apparatus
24 for the distribution of the water supply within the limits of such incorporation,
25 together with all property appertaining thereto, and to maintain,
26 extend and operate the same for the main supply of water to any and all
27 cities, villages, towns and pumping stations or districts that are or may be
28 established within such incorporation: and also to devise and construct other
29 main tunnels, conduits, cribs and other works for the main supply of water

30 to the cities, villages and towns at their several pumps or pumping stations,
31 at such prices or rate as shall be agreed upon between the commissioners
32 and the proper authorities of such cities, villages and towns to which it is
33 supplied; also to devise, establish and maintain a system of main sewerage,
34 and to lay out and construct and maintain proper main channels, water-ways,
35 ditches, drains, cut-offs, intercepting and main sewers for the general depo-
36 sition of sewage and drainage of such metropolitan towns, as well for the
37 protection of the water supply as for the proper deposition of sewage; and
38 where in the construction of such work, it is practicable so to do, may create
39 water-power which may be controlled by said commissioners, and also may
40 construct such channel or water-way in such manner as to make the same
41 suitable for navigation and use as a commercial waterway: *Provided*, that
42 nothing in this act shall be construed into the right of any board of commis-
43 sioners of any metropolitan town organized under this act to take charge of,
44 control or let water-power that may be created by the construction of any
45 sewer, drain, ditch, channel or waterway, except along such sewer, drain,
46 ditch, channel or water-way as may be actually constructed by said corpora-
47 tion for drainage purposes: *And provided, further*, the charges for water-
48 power may be regulated by law."

49 Insert the following section to be numbered section 43.

50 "Such metropolitan town before it shall take charge or control of any
51 crib, tunnel or conduit or other works for the main supply of water be-
52 longing to any city, village or town within its jurisdiction shall ascertain
53 by agreement with the proper authorities of such city, village or town
54 the actual cost value thereof and upon the payment or adjustment of
55 that amount according to the terms of this act, the title to such cribs,
56 tunnels, conduits and works shall vest in such metropolitan town. Such
57 cribs, tunnels, conduits and works may be paid for in such way as shall
58 be agreed upon by the proper authorities of such metropolitan town and
59 such cities, villages or towns; and if it shall be so agreed such metro-
60 politan town may assume the whole or any part of any existing indebted-

61 ness that may have been incurred therefor as the whole or some part
62 of the price therefor."

63 Change the number of section 50 to 44.

64 Amend section 51 by inserting the word "channel" before the word
65 waterway in in line 3 of printed bill and change the number of the sec-
66 tion to 45.

67 Insert the following section to be numbered Section 46.

68 "If any such corporation shall construct any channel or waterway for
69 the discharge of sewerage into or through the DesPlaines or Illinois rivers
70 it shall construct the same of sufficient size and capacity to produce a
71 continuous flow through the same of not less than six hundred thousand
72 cubic feet of water per minute and shall maintain the same at all times
73 of that capacity and keep the water thereof in an inoffensive and health-
74 ful condition. Such channel or waterway shall have a width of not less
75 than one hundred and sixty feet at the bottom and a depth of not less
76 than eighteen feet of water and velocity of flow of water suitable for
77 navigation and the same shall be forever free to navigation and subject
78 to such regulation in reference to navigation thereon as the United States
79 may prescribe not inconsistent with the use of such waterway or channel
80 for the purposes of its construction by such corporation. Bridges over
81 such waterway or channel shall be constructed so as to admit of vessels
82 passing through the same at such places as the waterway or channel is
83 navigable. Proper guard locks shall be constructed in such channel or
84 waterway to prevent a flow through such channel or waterway in case
85 of the giving away of any dam therein or embankment thereof."

86 Insert the following section, to be numbered section 47:

87 "No waterway or channel which may be constructed by any such corpor-
88 ation for the discharge of water or sewage into or through any river or
89 stream of water beyond or without the corporate limits of such corporation,
90 or into the DesPlaines river, shall be put in operation, unless such corpora-
91 tion, at or before that time, shall have provided by proper means for the
92 diversion or carrying off the flood water of such river or stream above the

93 point where such waterway or channel enter such river or stream, so that
94 the water flowing down such river or stream past that point in time of flood
95 will not, with the water or sewage so conducted into or along such river or
96 stream, exceed the maximum amount of flood water which would have
97 flowed down such river or stream past the same point, if said waterway or
98 channel had not been constructed; and in every case where, by the construc-
99 tion of such waterway or channel, the steady flow of water in any river or
100 stream will be increased, such corporation shall have the power, and it shall
101 be obligatory upon it, to make any and all such sluiceways, enlargements,
102 widenings, removal or abatement of obstructions and other improvement of
103 such river or stream for the proper passage of water therein as shall be
104 reasonable or necessary to prevent an increase of the maximum high water
105 in such river or stream."

106 Insert the following section, to be numbered section 48:

107 "No such corporation shall occupy the Illinois and Michigan canal or the
108 site of any such water-way or channel, except to cross the same at or near
109 Chicago, or at what is commonly known as the log, or at Joliet where the
110 Desplaines river and said canal unite, and then only in such way as not to
111 impair the usefulness of said canal, or to the injury of the rights of the
112 State therein until the water-way or channel is completed and opened to the
113 public for navigation. Any such corporation that may succeed to the rights
114 of the city of Chicago may use said canal in the same way, under like con-
115 ditions, and to the same extent as the city of Chicago is now authorized to
116 do, but to no greater extent unless by further grant of the General As-
117 sembly.

118 Strike out section 52 and insert the following, to be numbered section 49:

119 "The board of commissioners may by ordinance prescribe all needful
120 rules and regulations.

121 Item 1. For the maintaining, protecting, keeping in repair, and the use
122 of cribs, tunnels, conduits, channels, water-ways, drains, ditches and other
123 structures and works belonging to or under the control of the corporation.

124 Item 2. Regulating the manner of making connections with and using
125 such tunnels, conduits, channels, water-ways, drains, ditches and other
126 structures and works.

127 Item 3. Providing for the protection and purity of the water supply and
128 its sources, and to prevent pollution of the same.

129 Item 4. For the proper protection of the sewers, drains, ditches, channels,
130 water-ways and water courses within the control and jurisdiction of such
131 corporation, and to insure the proper dilution of the sewage and prevent the
132 same becoming obnoxious and unhealthy.

133 Item 5. Prescribing fines and penalties as they shall deem requisite for
134 the enforcement of their ordinances, but no penalty shall exceed the sum of
135 two hundred dollars for one offense, and no person shall be imprisoned more
136 than six months for the same offense."

137 Change the number of section 53 to 50.

138 Change the number of section 54 to 51.

139 Amend section 55 by striking out the words "rates and taxes" after the
140 word water, in line 6, printed bill, and insert the following in lieu thereof:
141 "Power and furnishing water to the several cities, villages and towns under
142 the provisions of this act," and by changing the number of the section to
143 52.

144 Change the number of section 56 to 53.

145 Amend section 57 by striking out the word "Trustees" in line 2, printed
146 bill, and insert in lieu thereof the word "commissioners," and change the
147 number of the section to 54.

147 Change the number of section 58 to 55.

148 Change the number of section 59 to 56.

149 Change the number of section 60 to 57.

150 Change the number of section 61 to 58.

151 Change the number of section 62 to 59.

152 Change the number of section 63 to 60.

153 Change the number of section 64 to 61.

155 Change the number of section 65 to 62.

156 Add the following to section 66: "No special assessment shall be made
157 upon property situated out of the county in which such corporation shall
158 be organized nor shall any special assessment be made upon any
159 property within the same county and without the corporate limits of such
160 corporation except when the property assessed may drain into the ditch,
161 drain or channel, towards the cost of which the assessment is made and
162 in such case for no greater amount than the property will be benefited
163 by the drainage to be thus provided."

164 Change the number of section 66 to 63.

165 Strike out section 67, insert in lieu thereof the following to be num-
166 bered section 64."

167 "No private property shall be taken or damaged by overflow or other-
168 wise by any such corporations, its agents or servants without just com-
169 pensation being first paid to the person interested therein. Whenever it
170 shall be necessary to take or damage private property the compensation
171 therefor may be ascertained and the proceedings for condemnation thereof
172 may be had in manner provided in article nine of an act entitled 'an act
173 to provide for the incorporation of cities and villages,' approved April 10,
174 1872, or an act entitled 'an act to provide for the exercise of the right
175 of eminent domain,' as the said commissioners shall elect. Proceedings to
176 ascertain the compensation to be paid for taking or damaging private property
177 shall be instituted in the county where the property is situated. Suits
178 against the corporation for damages may be brought either in the
179 county where the property damaged is situated, or in the county
180 of the corporation doing the damage. Nothing in this section contained
181 shall be construed to prevent action being brought against such corporation
182 for any subsequent damages that may accrue."

183 • Add the following section to be numbered Section 65:

184 "The proceedings for the making, laying, collecting and enforcing of
185 any special assessment for the construction of any work, shall be the same
186 as nearly as may be as prescribed in article nine of an act entitled 'An

187 act to provide for the incorporation of cities and villages,' approved April
188 10, 1872. Wherever in said act the words 'city council' are used, the same
189 shall apply to the commissioners constituted by this act and all words
190 applying to a city or its officers in that article shall be held to apply to
191 the corporation hereby created and to its officers."

192 Change the number of section 68 to 66.

193 Change the number of section 69 to 67.

194 Change the number of section 70 to 68.

195 Change the number of section 71 to 69.

196 Add the following section to be numbered section 70:

197 "Nothing in this act shall be construed to commit or bind the State
198 to any plan, method or system of sewage disposal or other drainage which
199 the commissioners or authorities of any such metropolitan town may
200 adopt or put into operation under this act or any of the provisions thereof,
201 but the General Assembly shall at any time be at liberty to annul any
202 or all power and authority granted under this act relative to sewerage dis-
203 posal and drainage without making any compensation for any loss thereby
204 sustained, and direct such other or different methods of sewage disposal for
205 any metropolitan town or other corporation acting hereunder as it shall
206 declare, and in case this act shall be adopted or the provisions thereof ac-
207 cepted it shall be upon the terms and conditions aforesaid."

-
1. Received from House April 28, 1887, and ordered to first reading.
 2. First reading May 19, 1887, and ordered to second reading without reference.

A BILL

For An Act exempting pharmacists from jury duty.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That where there is but one registered pharmacist
3 in any drug store in this State, that the same shall be exempt from jury
4 duty.



1. Introduced by Mr. Humphrey, February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to the Committee on Fees and Salaries.
3. Reported back March 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 31 of an act entitled "An act concerning fees and salaries, and to classify the several counties of this state with reference thereto," approved March 29, 1872; title as amended by act approved March 28, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 31 of an act entitled "An act
3 concerning fees and salaries, and to classify the several counties of this
4 State with reference thereto," approved March 29, 1872; title as amended
5 by act approved March 28, 1874, be and the same hereby is amended so
6 as to read as follows:

7 "Section 31. The clerks of all the courts of record, the treasurer, sheriff,
8 coroner, and recorder of deeds of Cook county, elected after the adoption of
9 the present constitution of this State, shall receive as their only compensation
10 for their services, the following named salaries to be paid out of the fees
11 of their respective offices actually collected, to-wit:

12 The clerk of the circuit court the sum of five thousand dollars per
13 annum.

14 The clerk of the Superior Court the sum of five thousand dollars per
15 annum.

16 The clerk of the county court the sum of three thousand dollars per
17 annum.

18 The county clerk the sum of three thousand dollars per annum.

19 The clerk of the criminal court the sum of five thousand dollars per
20 annum.

21 The clerk of the probate court of Cook county the sum of five thousand
22 dollars per annum.

23 The county treasurer the sum of four thousand dollars per annum.

24 The sheriff the sum of six thousand dollars per annum.

25 The coroner the sum of five thousand dollars per annum.

26 The recorder of deeds of Cook county the sum of three thousand dollars
27 per annum.

28 The clerk of the Superior Court of Cook county, the clerk of the probate
29 court of Cook county, and the county clerk, the clerk of the county court,
30 the clerk of the circuit court, the county treasurer, the sheriff, coroner and
31 recorder of deeds of Cook county, shall, from the time when their salaries
32 or salary begins, as herein provided, each of them, in a book provided for
33 the purpose, keep a full, true and minute account of all the fees and
34 emoluments of his office, designating, in corresponding columns, the amount
35 of all the fees and emoluments earned and payments received on account
36 thereof, and shall also keep an account of all expenditures made by him
37 on account of clerk hire, stationery and other necessary expenses; such
38 accounts shall always be open to the inspection of the board of commis-
39 sioners. Every such officer, respectively, shall, on the first day of June
40 and the first day in December in each year, during the term of his office
41 and while receiving a salary as herein provided, make to the chairman of
42 the board of commissioners a report in writing under oath, of all the fees
43 and emoluments of his office, of every name and description whatsoever,
44 and of all necessary expenses for clerk hire, stationery and other expenses
45 for the half year or fraction thereof, ending at the time of said report;
46 such report shall state fully the manner in which such fees and emoluments

47 accrued. It shall be the duty of said board of commissioners to audit such
48 accounts, as soon as may be, and correct and adjust the same in accordance
49 with the facts. The balance found in the hands of any such officer (except
50 the county treasurer), over and above the amount due such officer as
51 compensation for services, stationery, clerk hire and other necessary expenses
52 as hereinbefore set forth, shall be paid over by such officer to the county
53 treasurer, as soon as his account shall have been audited, as aforesaid; and
54 in the case of the county treasurer, the balance found in his hands shall
55 be accounted for and paid out upon the order of the county board. And
56 if, in the county of Cook, upon auditing of such accounts, there shall be
57 found any balance due to the county of Cook from the county treasurer,
58 the county of Cook shall account for and pay over to the city of Chicago
59 its just proportion of the same. Deputy and assistant clerks shall be
60 employed under the direction of a board of commissioners for said county,
61 and shall be paid a salary, to be fixed by said board: *Provided*, that until
62 the employment of such deputy or assistant clerk shall be authorized and
63 his compensation fixed as aforesaid, a reasonable allowance may be made
64 for any clerk, deputy or assistant necessarily employed by such officer."

1. Introduced by Mr. Humphrey. February 15, 1887, and ordered to first reading.
2. First reading February 15, 1887, and referred to the Committee on Fees and Salaries.
3. Reported back March 25, 1887, passage recommended, and ordered to second reading.
4. Second reading April 20, 1887, amended and ordered to third reading.

A BILL

For An Act to amend section 31 of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 20, 1872; title as amended by act approved March 28, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 31 of an act entitled "An act
3 concerning fees and salaries, and to classify the several counties of this
4 State with reference thereto," approved March 20, 1872; title as amended
5 by act approved March 28, 1874, be and the same hereby is amended so
6 so as to read as follows:

7 "Section 31. The clerks of all the courts of record, the treasurer, sheriff,
8 coroner, and recorder of deeds of Cook county, elected after the adoption of
9 the present constitution of this State, shall receive as their only compensation
10 for their services, the following named salaries to be paid out of the fees
11 of their respective offices actually collected, to-wit:

12 The clerk of the circuit court the sum of five thousand dollars per
13 annum.

14 The clerk of the Superior Court the sum of five thousand dollars per
15 annum.

16 The clerk of the county court the sum of three thousand dollars per
17 annum.

18 The county clerk the sum of two thousand dollars per annum.

19 The clerk of the criminal court the sum of five thousand dollars per
20 annum.

21 The clerk of the probate court of Cook county the sum of five thousand
22 dollars per annum.

23 The county treasurer the sum of four thousand dollars per annum.

24 The sheriff the sum of six thousand dollars per annum.

25 The coroner the sum of five thousand dollars per annum.

26 The recorder of deeds of Cook county the sum of five thousand dollars
27 per annum.

28 The clerk of the Superior Court of Cook county, the clerk of the probate
29 court of Cook county, and the county clerk, the clerk of the county court,
30 the clerk of the circuit court, the county treasurer, the sheriff, coroner and
31 recorder of deeds of Cook county, shall, from the time when their salaries
32 or salary begins, as herein provided, each of them, in a book provided for
33 the purpose, keep a full, true and minute account of all the fees and
34 emoluments of his office, designating, in corresponding columns, the amount
35 of all the fees and emoluments earned and payments received on account
36 thereof, and shall also keep an account of all expenditures made by him
37 on account of clerk hire, stationery and other necessary expenses; such
38 accounts shall always be open to the inspection of the board of commis-
39 sioners. Every such officer, respectively, shall, on the first day of June
40 and the first day in December in each year, during the term of his office
41 and while receiving a salary as herein provided, make to the chairman of
42 the board of commissioners a report in writing under oath, of all the fees
43 and emoluments of his office, of every name and description whatsoever,
44 and of all necessary expenses for clerk hire, stationery and other expenses
45 for the half year or fraction thereof, ending at the time of said report;
46 such report shall state fully the manner in which such fees and emoluments

47 accrued. It shall be the duty of said board of commissioners to audit such
48 accounts, as soon as may be, and correct and adjust the same in accordance
49 with the facts. The balance found in the hands of any such officer (except
50 the county treasurer), over and above the amount due such officer as
51 compensation for services, stationery, clerk hire and other necessary expenses
52 as hereinbefore set forth, shall be paid over by such officer to the county
53 treasurer, as soon as his account shall have been audited, as aforesaid; and
54 in the case of the county treasurer, the balance found in his hands shall
55 be accounted for and paid out upon the order of the county board. And
56 if, in the county of Cook, upon auditing of such accounts, there shall be
57 found any balance due to the county of Cook from the county treasurer
58 the county of Cook shall account for and pay over to the city of Chicago
59 its just proportion of the same. Deputy and assistant clerks shall be
60 employed under the direction of a board of commissioners for said county,
61 and shall be paid a salary, to be fixed by said board: *Provided*, that until
62 the employment of such deputy or assistant clerk shall be authorized and
63 his compensation fixed as aforesaid, a reasonable allowance may be made
64 for any clerk, deputy or assistant necessarily employed by such officer."

1. Introduced by Mr. Berggren, February 16, 1887, and ordered to first reading.
2. First reading February 16, 1887, and referred to Committee on Insurance.
3. Reported back March 4, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to revise and amend an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to widows, orphans, heirs, relatives, and devisees of deceased members, or accident or permanent disability indemnity to members thereof," approved June 18, 1883, in force July 1, 1883, and to amend the title thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the title of an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to widows, orphans, heirs, relatives and devisees of deceased members or accident or permanent disability indemnity to members thereof," approved June 18, 1883, and in force July 1, 1883, be and the same is hereby amended so as to read as follows: "An act to provide for the organization and management of corporations, associations and societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members or accident or permanent disability indemnity to members thereof," and that the same act be and the same is hereby amended and revised so as to read as follows:

14 "Section 1. *Be it enacted by the People of the State of Illinois, represented*
 15 *in the General Assembly,* That corporations, associations or societies for the
 16 purpose of furnishing life indemnity or pecuniary benefits upon the death of
 17 a member, to the legal representatives or the designated beneficiaries who
 18 shall have a legal insurable interest in the life of such deceased member, or
 19 for the purpose of furnishing accident or permanent disability indemnity to
 20 members thereof, and where members shall receive no money as profit, and
 21 where the funds for the payment of such benefits shall be secured, in
 22 whole or in part, by assessment upon the surviving members, may be
 23 organized, subject to the conditions hereinafter provided."

24 "Section 2. Any five or more persons, citizens of the United States, a majority
 25 of whom shall be *bona fide* citizens and voters of this State, may associate
 26 themselves together as a body corporate, for which purpose they shall make,
 27 sign and acknowledge, before any officer authorized to take acknowledgments
 28 of deeds in this State, a certificate of association, in which shall be stated the
 29 name or title by which such corporation, association or society shall be known
 30 in law: the location of its principal business office (which office must be
 31 located in this State); the name and residence of the incorporators; the
 32 object of the corporation, with its plan of doing business clearly and fully
 33 defined; the number of its directors, trustees or managers, and the names of
 34 those selected to serve until its first annual meeting; the limits as to age of
 35 applicants for membership, which shall not exceed sixty years, and that med-
 36 ical examinations are required; and that *bona fide* applications have been
 37 secured for at least \$500,000, by not less than five hundred persons, who have
 38 each made application for membership in such proposed association or society
 39 and have been duly examined and recommended by a reputable physician
 40 and have each deposited with the parties asking such charter the sum of ten
 41 dollars as advance assessment for mortuary purposes, which certificate of
 42 association and applications together with the certificate of some solvent
 43 bank or banks that all of such advance mortuary funds are deposited therein
 44 to be turned over to the treasurer of such association when organized, shall

45 be submitted to the Auditor of Public Accounts, who shall carefully examine
46 the same; and, if he shall find that the objects and purposes are fully and defi-
47 nitely set forth, and are clearly within the provisions of this act, and that the
48 name or title is not the same or does not so closely resemble a title in use as to
49 have a tendency to mislead the public, shall approve the same. If for either of
50 the aforesaid, or other good and sufficient reasons, the said Auditor shall be
51 unwilling to approve the certificate of association, he shall immediately
52 inform the incorporators of the fact, stating his objections fully in writing.
53 If the certificates and other documents are sufficient and satisfactory to the
54 Auditor, he shall forthwith file the certificate of association, with his cer-
55 tificate of approval thereof, in the office of the Secretary of State."

56 "Section 3. Upon the filing of the papers as aforesaid, the Secretary of State
57 shall issue a certificate of organization of the corporation, association or
58 society, making as a part thereof a copy of all papers filed in his office in
59 and about the organization thereof, and duly authenticated under his hand
60 and seal of State; and the same shall be recorded in a book kept for that
61 purpose in the office of the recorder of deeds in the county in which the
62 principal place of business of such corporation, association or society is located.
63 Any corporation, association or society organized under this act or the act
64 hereby revised and amended may change its articles of association in the
65 manner prescribed by its own rules; but no such change shall be of legal
66 effect until a certificate setting forth fully and definitely the changes pro-
67 posed shall have been submitted to and approved by the Auditor of Public
68 Accounts and filed in the office of the Secretary of State, and a certified
69 copy thereof, recorded in the office of the recorder of deeds in which the
70 original certificate of association was recorded. Any corporation, association
71 or society organized under the act entitled "An act concerning corporations,"
72 approved April 18, 1872; as amended by an act approved and in force
73 March 28, 1874, for the purpose of benefiting the widows, orphans, heirs
74 and devisees of deceased members, may, in like manner, amend its articles
75 of association in conformity to the provisions of this act."

76 "Section 4. A corporation, association or society organized under the provisions
 77 of this act shall be a body corporate and politic, by the name stated in
 78 the certificate of organization, and by that name they and their successors
 79 may have succession, and shall be persons in law capable of suing and
 80 being sued; and may have power to make and enforce contracts in relation
 81 to the legitimate business of their corporation, association or society; may
 82 have and use a common seal, and may change or alter the same at pleasure,
 83 and they and their successors in their corporate name shall in law be
 84 capable of taking, purchasing, holding and disposing of real and personal
 85 estate for the purposes of their association or society; may make by-laws
 86 not inconsistent with the constitution and laws of this State or of the
 87 United States, which by-laws shall define the manner and form of electing
 88 directors, trustees or managers and officers of the corporation, association
 89 or society, and the qualifications and duties of the same, with terms of
 90 office, not exceeding three years, also the qualifications and privileges of
 91 the members thereof."

92 "Section 5. The affairs of all corporations, associations or societies organized or
 93 doing business under the provisions of this act shall be managed by not
 94 less than five directors, trustees or managers, a majority of whom shall be
 95 residents of the State of Illinois, who shall be elected from and by the
 96 members, at such time and place, and for such period not exceeding three
 97 years, as may be provided for in the by-laws, and may be eligible for re-
 98 election: *Provided*, that as near as practicable an equal number shall be
 99 elected each year. Whenever directors, trustees or managers shall be
 100 elected, a certificate under the seal of the corporation, giving the name
 101 and residence of those elected and the term of their office, shall be recorded
 102 in the office of the recorder of deeds where the certificate of organization
 103 is recorded. Vacancies in the board of directors, trustees or managers shall
 104 be filled in the manner provided in the by-laws, and upon filling any vacancy
 105 a like certificate shall be recorded."

106 "Section 6. Assessment notices sent to members by any association or corpor-
107 ation doing business in this State, shall state the object or objects for which the
108 money to be collected is intended; the names, last address and amount of
109 certificates of the deceased members, the amount to which the beneficiary of
110 each is entitled or the amount which would be realized for the beneficiaries
111 of each if all the members who are assessed would pay the assessment, and
112 no part of the funds collected for the payment of death benefits shall be
113 applied for any other purpose.

114 "Section 7. Any agent, physician or other person, who shall knowingly secure,
115 or cause to be secured, a certificate of membership on any person, without his
116 knowledge or consent, or by means of misrepresentations, false, fraudulent or
117 untrue statements, be instrumental in securing a certificate of membership
118 on any aged or infirm person, or in restoring to membership any person not
119 in an insurable condition, shall be deemed guilty of a misdemeanor, and upon
120 conviction thereof shall be fined in a sum not less than \$100, nor more than
121 \$1,000, or be imprisoned in the county jail not less than thirty days nor
122 more than one year, or both, in the discretion of the court; and said
123 certificate or renewal so secured shall be absolutely void.

124 "Section 8. All corporations, associations or societies transacting business under
125 the provisions of this act, may provide, by by-laws, for the accumulation of
126 a surplus, general or guarantee fund, which may be invested only in the
127 corporate name of the association or society, in United States, State, county,
128 city, or other first-class convertible bonds or stocks, upon which interest has
129 not been in default. Such funds, when so set apart, and so invested, shall,
130 with the increase thereof, belong to such corporation, association or society,
131 and not to the directors, trustees, managers or officers thereof; and shall be
132 used only for mortuary benefits, without assessment, or applied in payment of
133 future assessments, or otherwise used for the promotion of the object or
134 objects for which said funds are specially provided and set apart, and such
135 use shall not be deemed or construed to mean a profit received by members
136 within the meaning of the statutes of this State: *Provided*, that nothing in
137 this act shall be deemed or construed to authorize the payment of such funds

138 to members otherwise than mortuary benefits, or accident, or permanent
139 disability benefits except upon the dissolution of the corporation.

140 "Section 9. All corporations, associations or societies organized under the
141 provisions of this act, or that have heretofore been organized within this
142 State, under any charter, compact or agreement or statute of this State,
143 for the purpose of furnishing life, accident or permanent disability indemnity
144 or mortuary benefit on the assessment plan, in accordance with the provisions
145 of the first section of this act, shall not be deemed insurance companies,
146 nor subject to the laws of this State relating thereto, but shall comply with,
147 and conform to all the requirements and provisions of this act; and shall,
148 by their president and secretary, or like officers, make to the Auditor of Public
149 Accounts annually, on or before the first day of March, in each and every
150 year, a statement, under oath, for the year ending on the thirty-first day
151 of December next preceding, upon blanks furnished by the said auditor,
152 which blanks shall be such as will show its financial condition, assets,
153 liabilities, total amount of indemnity in force, number of members, number
154 whose memberships have terminated during the year and cause thereof,
155 total receipts and sources thereof, total expenditures and objects thereof,
156 and the average amount paid on each certificate, and shall pay to the
157 said auditor, upon filing said certificate, a fee of \$5, and the said auditor
158 shall publish said statement in his annual report: *Provided*, that nothing
159 herein contained shall be held to apply to any organization of a purely
160 social, religious or benevolent character, where no commissions are paid and
161 no salaried officers or agent are employed; nor to any local association or
162 society organized under, or subject to the control of a grand or supreme
163 body, nor to any secret organization having subordinate lodges or councils
164 which has been organized under the laws of this or any other State, and
165 which is now permitted to do business in this State.

166 "Section 10. The Auditor of Public Accounts shall have authority in person,
167 or by an expert for that purpose appointed, to verify the statements
168 aforesaid, by examination of the books and papers of the corporation, and

169 make such other examination as he may deem necessary. The expenses
170 of such examination shall be paid by the corporation, association or society
171 having its books examined, and shall not exceed the necessary traveling
172 and hotel expenses of said Auditor or expert, and the reasonable compensation
173 of such clerical assistance as may be required.

174 "Section 11. The Auditor of Public Accounts shall, at the request of any
175 corporation, association or society doing business under the provisions of
176 this act in this State on the assessment plan, make an examination of
177 such corporation, and shall furnish a certificate of the results of such
178 examination, showing all its assets, and how invested, and such other
179 particulars as may be deemed necessary to show the character and
180 condition of said corporation, and the necessary expense of the said
181 examination shall be paid by the corporation requesting the same.

182 "Section 12. Whenever any corporation, association or society, organized or
183 having transacted business under the provisions of this act, shall neglect
184 or refuse to make its annual statements as required by this act, or
185 whenever the said Auditor shall find, upon examination as provided in
186 section 10 of this act, that any willfully false or untrue statements in any
187 material respect have been made, or that the business of the corporation,
188 association or society has been conducted fraudulently, or in willful
189 violation of any of the provisions of this act, or that the corporation has
190 transacted business different from that authorized by its certificate of
191 incorporation, he shall communicate the fact to the Attorney General,
192 whose duty it shall be to apply to the circuit court where its principal
193 office is located, for an order requiring the officers or directors, trustees
194 or managers of such corporation to show cause why they should not be
195 removed from office, or its business closed; and the court shall thereupon
196 hear the allegations and proofs of the respective parties, and if it shall
197 appear to the satisfaction of the said court that any one or more of
198 them have been guilty of fraud or any material irregularity or violation
199 of law to the injury of said corporation, association or society, or of

200 non-compliance with any of the provisions of this act, the court shall
201 decree a removal from office of the guilty party or parties, which decree
202 shall forever debar him or them from holding a similar office, and shall
203 substitute a suitable person or persons to serve until the regular annual
204 meeting, or until a successor or successors are regularly chosen or elected;
205 or if it shall appear to the said court that the interests of its members or
206 the general public so require, the court may decree a dissolution of such
207 corporation, association or society, and a distribution of its effects."

208 "Section 13. If the Auditor of Public Accounts shall find, upon examination,
209 as provided in section 10 of this act, or if it shall appear from the annual
210 statement filed in his office, as provided by section 9 of this act, that the
211 number of members in good standing in any corporation, association or
212 society organized under any law of this State, and amenable to the
213 provisions of this act, is less than two hundred, or that the last mortuary
214 assessment upon its members produced less than five hundred dollars for
215 mortuary benefits, he shall communicate the fact to the Attorney General,
216 whose duty it shall be to apply to the circuit court where its principal
217 office is located for an order requiring the officers or directors, trustees or
218 managers of such corporation to show cause why its business should not
219 be closed. The court shall thereupon hear the allegations and proofs of
220 the respective parties, and if the court shall find that the membership of
221 said association is less than two hundred, or that the last mortuary
222 assessment upon the members of said association produced less than five
223 hundred dollars for mortuary benefits, it shall decree the dissolution of the
224 corporation and a distribution of its funds and effects."

225 "Section 14. Any corporation, association or society organized under any law of
226 this State, and amenable to the provisions of this act, may also volun-
227 tarily dissolve its organization by a two-thirds vote of its entire member-
228 ship, at any meeting called to consider such question by a written or
229 printed notice sent to each member or certificate holder at least thirty
230 days prior to the day fixed for said meeting. When a final dissolution

has been agreed upon the directors, trustees or managers shall first pay all the debts and obligations of the corporation, association or society out of the funds of the corporation, and distribute the remainder among all the certificate holders in good standing at the date of such meeting in proportion to the amount of benefit named in the certificate of each. No such distribution shall however be made until the directors, trustees or managers shall have filed a statement under oath in the office of the recorder of deeds in the county where the business office is located that all debts of the corporation, association or society are paid. And in case a distribution shall be made before filing such statement under oath, or if such statement shall be willfully false, the trustees, directors or managers shall be jointly and severally liable for the debts of such corporation, association or society. It shall also be lawful for the trustees, directors or managers, when a final dissolution has been agreed upon in the manner above provided, to apply the funds of such corporation, association or society remaining after paying all its debts, to the transfer of its members to any other corporation, association or society authorized under this act to transact business in this State, and to distribute the remainder, if any, as hereinafter provided: *Provided*, however, that such transfer shall be by contract with the organization to which such transfer is to be made, and the said contract of such transfer shall first be submitted to and approved by a two-thirds vote of its members at the meeting herein provided for. And in case said transfer shall be approved, every certificate holder of the said corporation, association or society who shall file with the secretary thereof, within five days after said meeting, written notice of his preference to be transferred to some other corporation than that named in the contract, shall be accorded all the rights and privileges, if any, in and of such transfer as would have been accorded under the terms of the said contract had he been transferred to the corporation named therein. And it shall not be lawful for any corporation, association or society to transfer its members to any other corporation, association or society except as

262 herein provided. When a final dissolution has been agreed upon, and all
 263 the debts and obligations of such corporation have been paid, and its funds
 264 distributed or its members transferred as herein provided for, the directors,
 265 trustees or managers shall file in the office of the Secretary of State a
 266 certificate thereof, under the seal of the corporation, stating fully all the
 267 acts performed under the provisions hereof. And upon the filing of said
 268 certificate such corporation shall cease to exist."

269 "Section 15. Any officer, director, trustee or manager, or any other person
 270 having charge of the books and papers of any corporation conducting
 271 business under the provisions of this act, who shall wilfully neglect or refuse
 272 to comply with the provisions of this act, shall be subject to a fine of not
 273 less than \$10 nor more than \$100 for each offense. Any person who shall
 274 act as agent, or be instrumental in securing or inducing any person to become
 275 a member of any assessment plan corporation, association or society that has
 276 not complied with the provisions of this act, shall be deemed guilty of a
 277 misdemeanor, and shall be subject to a fine of not less than \$10 nor more
 278 than \$50 for each offense, and shall be imprisoned in the county jail located
 279 in the county where the conviction is secured, until such fine is paid, not
 280 exceeding thirty days for each conviction.

281 "Section 16. The first statement to the auditor of public accounts, as required
 282 under the provisions of section 9 of this act, shall be made on or before the
 283 first day of September, A. D. 1883, and shall embrace all the facts required
 284 by the provisions of this act, from the date of organization up to the thirty-
 285 first day of December, A. D. 1882. Any corporation, association or society
 286 failing or refusing to make the statement required by this section within the
 287 time specified, shall be proceeded against in the same manner and shall be
 288 subject to the same penalty as provided in section 12 of this act.

289 "Section 17. Any corporation, association or society organized under the laws of
 290 any other State or government, except secret societies having subordinate
 291 lodges or councils, and which are now permitted to do business in this State
 292 for the purpose of furnishing life, accident or permanent disability indemnity

upon the assessment plan, where benefits are paid to such as have an insurable interest only, or that is carrying on the business of life or accident insurance on the assessment plan, as provided in section 1, complying with the provisions of this act, shall be licensed by the Auditor of Public Accounts, upon the payment to him of a fee of \$25, to do business in this State, provided such corporation, association or society shall first deposit with the said auditor a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officers, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities in detail, number of members, and a certificate sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a certificate from the State official charged with the enforcement of the insurance laws, or, if there be no such official, a certificate from the Attorney-General of its home State, certifying that corporations, associations or societies furnishing life indemnity on the assessment plan, and whose ordinary assessments are sufficient to pay its maximum certificate in full, and are chartered under the laws of this State, are legally entitled to do business in its home State; a copy of its policy or certificate of membership, application and by-laws, which must show that death losses are in the main provided for by assessments upon the surviving members; and it shall legally designate a person or agent residing in this State, to receive service of process for said corporation, or in default of such designation, service of process may be made upon the Auditor of Public Accounts of Illinois, who shall be deemed its agent for that purpose, and he shall immediately notify any corporation thus served. The license herein provided for shall be revoked by the Auditor of Public Accounts, whenever, upon investigation he is satisfied that such corporation is not paying or able to pay the maximum amount named in its certificates or policies in full. When any such license is revoked, the Auditor shall give notice thereof by mail to the president and

324 secretary of the corporation and publish a notice thereof in a newspaper of
 325 general circulation published in the city of Springfield, and no new business
 326 shall be thereafter done by it or its agents in this State. When the laws
 327 or the rulings of the insurance officials of any other State or country shall
 328 impose any obligation upon any such corporation of this State or its agents,
 329 the like obligations shall be imposed on similar corporations and their agents
 330 of such State or country doing business in this State.

331 "Section 18. Such corporations, associations or societies shall pay to the said
 332 Auditor, upon filing each annual statement, a fee of \$10; and in the event
 333 of its failure to make such statement on or before the first day of March of
 334 each year, the Auditor shall revoke its license, and thereafter, or until such
 335 statement is made, it shall be deemed to be doing business unlawfully in this
 336 State. When the Auditor of Public Accounts shall have reason to doubt
 337 the solvency of any foreign corporation, association or society acting under
 338 the provisions of this act, and when he is not fully satisfied with the credi-
 339 tate of the insurance commissioner, or other like officer, he may proceed to
 340 make an examination as provided in this act for the examination of corpora-
 341 tions organized in this State; and should he find that it has made fraudulent
 342 or untrue statements, or that it is conducting its business in an irregular and
 343 illegal manner, or if he shall be of the opinion that any such corporation is
 344 in this State conducting its business fraudulently, or is not in good faith
 345 carrying out its contracts with its members in this State, he shall report the
 346 same to the Attorney General, who shall thereupon commence proceedings,
 347 by writ of *quo warranto*, against such corporation or association, requiring
 348 it to show cause why its license to do business in this State should not be
 349 revoked. And any such foreign corporation or association now doing business
 350 in this State, that shall refuse or neglect to comply with the provisions of
 351 this act within the space of ninety days after passage thereof, shall be deemed
 352 to be doing business unlawfully; and if any officer, agent or employe of any
 353 such corporation or association shall do business in this State, or assist in,
 354 or knowingly permit the same, unless such corporation or association has com-

355 plied with the provisions of the laws of this State applicable to the same, he
 356 shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall
 357 be fined not less than \$50 nor more than \$1,000, or be imprisoned in the
 358 county jail not less than thirty days nor more than one year, or both, in
 359 the discretion of the court.

§ 19. All laws or parts of laws in conflict with this act are hereby repealed.

AMENDMENTS PROPOSED BY THE COMMITTEE ON INSURANCE.

Amend section five by adding the following:

2 Such board of directors, trustees or managers shall fix the amount of
 3 salary to be paid to all officers and managers of such corporation, associa-
 4 tion or society in full compensation for their services, and it shall not be
 5 lawful for any officer or manager to take or receive any of the money or
 6 funds of such corporation, association or society in excess of the amount
 7 of salary so fixed, and such salary shall not be increased or decreased
 during the term for which such officers or managers are elected.

9 Amend section fourteen by inserting after the word "therein" in line
 10 fourteen from the bottom the following:

11 And should any certificate holder not desire to be transferred to any other
 12 corporation, association or society he shall be entitled to and shall receive
 13 such proportionate share of the funds of such corporation, association or
 14 society as is herein provided for in case of dissolution without transfer of
 15 members.

1. Introduced by Mr. Berggren, February 16, 1887, and ordered to first reading.
2. First reading February 16, 1887, and referred to Committee on Insurance.
3. Reported back March 4, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 22, 1887, amended, and ordered to third reading.

A BILL

For An Act to revise and amend an act entitled "An act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life indemnity or pecuniary benefits to widows, orphans, heirs, relatives and devisees of deceased members, or accident or permanent disability indemnity to members thereof," approved June 18, 1883, in force July 1, 1883, and to amend the title thereof

SECTION 1. *Be it enacted by the People of the State of Illinois, rep-*

2 *in the General Assembly,* That the title of an act entitled "An act to provide
3 for the organization and management of corporations, associations or societies
4 for the purpose of furnishing life indemnity or pecuniary benefits to widows,
5 orphans, heirs, relatives and devisees of deceased members, or accident or
6 permanent disability indemnity to members thereof," approved June 18, 1883,
7 and in force July 1, 1883, be and the same is hereby amended so as to read
8 as follows: "An act to provide for the organization and management of cor-
9 porations, associations or societies for the purpose of furnishing life indemnity
10 or pecuniary benefits to the beneficiaries of deceased members or accident
11 or permanent disability indemnity to members thereof," and that the said
12 act be, and the same is hereby, amended and revised so as to read as
13 follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits upon the death of a member, to the legal representatives or the designated beneficiaries who shall have a legal insurable interest in the life of such deceased member, or for the purpose of furnishing accident or permanent disability indemnity to members thereof, and where members shall receive no money as profit, and where the funds for the payment of such benefits shall be secured, in whole or in part, by assessment upon the surviving members, may be organized, subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of whom shall be *bona fide* citizens and voters of this State may associate themselves together as a body corporate, for which purpose they shall make, sign and acknowledge, before any officer authorized to take acknowledgements of deeds in this State, a certificate of association, in which shall be stated the name or title by which such corporation, association or society shall be known in law, the location of its principal business office (which office must be located in this State); the name and residence of the incorporators; the object of the corporation, with its plan of doing business clearly and fully defined; the number of its directors, trustees or managers and the names of those selected to serve until its first annual meeting; the limits as to age of applicants for membership, which shall not exceed sixty years, and that medical examinations are required; and that *bona fide* applications have been secured for at least \$500,000, by not less than five hundred persons, who have each made application for membership in such proposed association or society, and have been duly examined and recommended by a reputable physician, and have each deposited with the parties asking such charter the sum of ten dollars as advance assessment for mortuary purposes, which certificate of association and applications, together with the certificate of some solvent bank or banks that all of such advance mortuary funds are deposited therein to be turned over to the treasurer of such association when organized, shall be submitted to the Auditor of Public Accounts, who shall carefully examine

23 the same; and, if he shall find that the objects and purposes are fully and
24 definitely set forth, and are clearly within the provisions of this act, and that
25 the name or title is not the same or does not so closely resemble a title in
26 use as to have a tendency to mislead the public, shall approve the same. If
27 for either of the aforesaid, or other good and sufficient reasons, the said Audi-
28 tor shall be unwilling to approve the certificate of association, he shall imme-
29 diately inform the incorporators of the fact, stating his objections fully in
30 writing. If the certificates and other documents are sufficient and satisfactory
31 to the Auditor, he shall forthwith file the certificate of association, with his
32 certificate of approval thereof, in the office of the Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State shall
2 issue a certificate of organization of the corporation, association or society,
3 making as a part thereof a copy of all papers filed in his office in and about
4 the organization thereof, and duly authenticated under his hand and seal of
5 State; and the same shall be recorded in a book kept for that purpose in the
6 office of the recorder of deeds in the county in which the principal place of
7 business of such corporation, association or society is located. Any corporation,
8 association or society organized under this act, or the act hereby revised and
9 amended may change its articles of association in the manner prescribed by
10 its own rules; but no such change shall be of legal effect until a certificate
11 setting forth fully and definitely the changes proposed shall have been sub-
12 mitted to and approved by, the Auditor of Public Accounts, and filed in the
13 office of the Secretary of State, and a certified copy thereof, recorded in the
14 office of the recorder of deeds in which the original certificate of association
15 was recorded. Any corporation, association or society organized under the act
16 entitled "An act concerning corporations," approved April 18, 1872; as amended
17 by an act approved and in force March 28, 1874, for the purpose of benefiting
18 the widows, orphans, heirs and devisees of deceased members, may, in like
19 manner, amend its articles of association in conformity to the provisions of
20 this act.

§ 4. A corporation, association or society organized under the provisions of this act shall be a body corporate and politic, by the name stated in the certificate of organization, and by that name they and their successors may have succession, and shall be persons in law capable of suing and being sued; and may have power to make and enforce contracts in relation to the legitimate business of their corporation, association or society; may have and use a common seal, and may change or alter the same at pleasure, and they and their successors in their corporate name shall in law be capable of taking, purchasing, holding and disposing of real and personal estate for the purposes of their association or society; may make by-laws not inconsistent with the constitution and laws of this State or of the United States, which by-laws shall define the manner and form of electing directors, trustees or managers and officers of the corporation, association or society, and the qualifications and duties of the same, with terms of office, not exceeding three years, also the qualifications and privileges of the members thereof.

§ 5. The affairs of all corporations, associations or societies organized or doing business under the provisions of this act shall be managed by not less than five directors, trustees or managers, a majority of whom shall be residents of the State of Illinois, who shall be elected from and by the members, at such time and place, and for such period not exceeding three years, as may be provided for in the by-laws, and may be eligible for re-election: *Provided*, that as near as practicable an equal number shall be elected each year. Whenever directors, trustees or managers shall be elected, a certificate under the seal of the corporation, giving the name and residence of those elected and the term of their office, shall be recorded in the office of the recorder of deeds where the certificate of organization is recorded. Vacancies in the board of directors, trustees or managers shall be filled in the manner provided in the by-laws, and upon filling any vacancy a like certificate shall be recorded. Such board of directors, trustees or managers shall fix the amount of salary to be paid to all officers and managers of such corporation, association or society in full compensation for their services, and it shall not

18 be lawful for any officer or manager to take or receive any of the money or
 19 funds of such corporation, association or society in excess of the amount of
 20 salary so fixed, and such salary shall not be increased or decreased during
 21 the term for which such officers or managers are elected.

§ 6. Assessment notices sent to members by any association or corpora-
 2 tion doing business in this State, shall state the object or objects for which
 3 the money to be collected is intended; the names, last address and amount of
 4 certificates of the deceased members, the amount to which the beneficiary of
 5 each is entitled, or the amount which would be realized for the beneficiaries
 6 of each, if all the members who are assessed would pay the assessment; and
 7 no part of the funds collected for the payment of death benefits shall be
 8 applied for any other purpose.

§ 7. Any agent, physician or other person, who shall knowingly secure, or
 2 cause to be secured, a certificate of membership on any person, without his
 3 knowledge or consent, or by means of misrepresentations, false, fraudulent or
 4 untrue statements, be instrumental in securing a certificate of membership on
 5 any aged or infirm person, or in restoring to membership any person not in
 6 an insurable condition, shall be deemed guilty of a misdemeanor, and upon
 7 conviction thereof shall be fined in a sum not less than \$100, nor more than
 8 \$1,000, or be imprisoned in the county jail not less than thirty days nor more
 9 than one year, or both, in the discretion of the court; and said certificate or
 10 renewal so secured shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under
 2 the provisions of this act, may provide, by by-laws, for the accumulation of
 3 a surplus, general or guarantee fund, which may be invested only in the cor-
 4 porate name of the association or society, in United States, State, county,
 5 city, or other first-class convertible bonds or stocks, upon which interest has
 6 not been in default. Such funds, when so set apart, and so invested, shall,
 7 with the increase thereof, belong to such corporation, association or society,
 8 and not to the directors, trustees, managers or officers thereof; and shall be
 9 used only for mortuary benefits, without assessment, or applied in payment of
 10 future assessments, or otherwise used for the promotion of the object or

11 objects for which said funds are specially provided and set apart, and such
 12 use shall not be deemed or construed to mean a profit received by members
 13 within the meaning of the statutes of this State: *Provided*, that nothing
 14 in this act shall be deemed or construed to authorize the payment of such
 15 funds to members as endowments, or as lifetime profits, or as payments to
 16 members otherwise than for mortuary benefits, or accident, or permanent
 17 disability benefits, except upon the dissolution of the corporation.

§ 9. All corporations, associations or societies organized under the provisions of
 2 this act, or that have heretofore been organized within this State, under any char-
 3 ter, compact or agreement or statute of this State, for the purpose of furnishing
 4 life, accident or permanent disability indemnity or mortuary benefit on the
 5 assessment plan, in accordance with the provisions of the first section of this
 6 act, shall not be deemed insurance companies, nor subject to the laws of this
 7 State relating thereto, but shall comply with, and conform to, all the require-
 8 ments and provisions of this act; and shall, by their president and secretary,
 9 or like officers, make to the Auditor of Public Accounts annually, on or before
 10 the first day of March, in each and every year, a statement, under oath, for
 11 the year ending on the thirty-first day of December next preceding, upon blanks
 12 furnished by the said auditor, which blanks shall be such as will show its
 13 financial condition, assets, liabilities, total amount of indemnity in force, number
 14 of members, number whose memberships have terminated during the year, and
 15 cause thereof, total receipts and sources thereof, total expenditures and objects
 16 thereof, and the average amount paid on each certificate, and shall pay to the
 17 said auditor, upon filing said certificate, a fee of \$5, and the said auditor shall
 18 publish said statement in his annual report: *Provided*, that nothing herein
 19 contained shall be held to apply to any organization of a purely social, religious
 20 or benevolent character, where no commissions are paid and no salaried officers
 21 or agent are employed; nor to any local association or society organized under,
 22 or subject to the control of a grand or supreme body, nor to any secret organ-
 23 ization having subordinate lodges or councils which has been organized under
 24 the laws of this or any other State, and which is now permitted to do business
 25 in this State.

§ 10. The Auditor of Public Accounts shall have authority, in person or by
 2 an expert for that purpose appointed, to verify the statements aforesaid, by
 3 examination of the books and papers of the corporation, and make such other
 4 examination as he may deem necessary. The expense of such examination
 5 shall be paid by the corporation, association or society having its books
 6 examined, and shall not exceed the necessary traveling and hotel expenses of
 7 said Auditor or expert, and the reasonable compensation of such clerical assist-
 8 ance as may be required.

§ 11. The Auditor of Public Accounts shall, at the request of any
 2 corporation, association or society doing business under the provisions of this
 3 act in this State on the assessment plan, make an examination of such
 4 corporation, and shall furnish a certificate of the results of such examination,
 5 showing all its assets, and how invested, and such other particulars as may
 6 be deemed necessary to show the character and condition of said corporation,
 7 and the necessary expense of the said examination shall be paid by the
 8 corporation requesting the same.

§ 12. Whenever any corporation, association or society organized or having
 2 transacted business under the provisions of this act, shall neglect or refuse to
 3 make its annual statements as required by this act, or whenever the said
 4 Auditor shall find, upon examination as provided in section 10 of this act,
 5 that any wilfully false or untrue statements in any material respect have been
 6 made, or that the business of the corporation, association or society has been
 7 conducted fraudulently, or in wilful violation of any of the provisions of this
 8 act, or that the corporation has transacted business different from that
 9 authorized by its certificate of incorporation, he shall communicate the fact
 10 to the Attorney General, whose duty it shall be to apply to the circuit court,
 11 where its principal office is located, for an order requiring the officers or
 12 directors, trustees or managers of such corporation to show cause why they
 13 should not be removed from office, or its business closed; and the court shall
 14 thereupon hear the allegations and proofs of the respective parties, and if it
 15 shall appear to the satisfaction of the said court that any one or more of them
 16 have been guilty of fraud, or any material irregularity or violation of law, to

17 the injury of said corporation, association or society, or of non-compliance
18 with any of the provisions of this act, the court shall decree a removal from
19 office of the guilty party or parties, which decree shall forever debar him or
20 them from holding a similar office, and shall substitute a suitable person or
21 persons to serve until the regular annual meeting, or until a successor or
22 successors are regularly chosen or elected; or if it shall appear to the said court
23 that the interests of its members or the general public so require, the court
24 may decree a dissolution of such corporation, association or society, and a
25 distribution of its effects.

§ 13. If the Auditor of Public Accounts shall find, upon examination, as
2 provided in section 10 of this act, or if it shall appear from the annual state
3 ment filed in his office, as provided by section 9, of this act, that the number
4 of members in good standing in any corporation, association or society
5 organized under any law of this State, and amenable to the provisions of this
6 act, is less than two hundred, or that the last mortuary assessment upon its
7 members produced less than five hundred dollars for mortuary benefits, he
8 shall communicate the fact to the Attorney General, whose duty it shall be
9 to apply to the circuit court where its principal office is located for an order
10 requiring the officers or directors, trustees or managers of such corporation to
11 show cause why its business should not be closed. The court shall thereupon
12 hear the allegations and proofs of the respective parties, and if the court shall
13 find that the membership of said association is less than two hundred, or that
14 the last mortuary assessment upon the members of said association produced less
15 than five hundred dollars for mortuary benefits, it shall decree the dissolution
16 of the corporation, and a distribution of its funds and effects.

§ 14. Any corporation, association or society organized under any law of
2 this State, and amenable to the provisions of this act, may also voluntarily
3 dissolve its organization by a two-thirds vote of its entire membership, at
4 any meeting called to consider such question by a written or printed notice
5 sent to each member or certificate holder at least thirty days prior to the
6 day fixed for said meeting. When a final dissolution has been agreed upon
7 the directors, trustees or managers shall first pay all the debts and obliga-

tions of the corporation, association or society out of the funds of the corporation, and distribute the remainder among all the certificate holders in good standing at the date of such meeting in proportion to the amount of benefit named in the certificate of each. No such distribution shall, however, be made until the directors, trustees or managers shall have filed a statement under oath, in the office of the recorder of deeds in the county where the business office is located, that all debts of the corporation, association or society are paid. And in case a distribution shall be made before filing such statement under oath, or if such statement shall be wilfully false, the trustees, directors or managers shall be jointly and severally liable for the debts of such corporation, association or society. It shall also be lawful for the trustees, directors or managers, when a final dissolution has been agreed upon in the manner above provided, to apply the funds of such corporation, association or society remaining after paying all its debts, to the transfer of its members to any other corporation, association or society authorized under this act to transact business in this State, and to distribute the remainder, if any, as hereinbefore provided: *Provided*, however, that such transfer shall be by contract with the organization to which such transfer is to be made and the said contract of such transfer shall first be submitted to and approved by a two-thirds vote of its members at the meeting herein provided for. And, in case said transfer shall be approved, every certificate holder of the said corporation, association or society who shall file with the secretary thereof, within five days after said meeting, written notice of his preference to be transferred to some other corporation than that named in the contract, shall be accorded all the rights and privileges, if any, in aid of such transfer as would have been accorded under the terms of the said contract had he been transferred to the corporation named therein, and should any certificate holder not desire to be transferred to any other corporation, association or society he shall be entitled to and shall receive such proportionate share of the funds of such corporation, association or society as is herein provided for

39 in case of dissolution without transfer of members. And it shall not be
40 lawful for any corporation, association or society to transfer its members to
41 any other corporation, association or society except as herein provided. When
42 a final dissolution has been agreed upon, and all the debts and obligations
43 of such corporation have been paid, and its funds distributed or its mem-
44 bers transferred, as herein provided for, the directors, trustees or managers
45 shall file in the office of the Secretary of State a certificate thereof, under
46 the seal of the corporation, stating fully all the acts performed under the
47 provisions hereof. And upon the filing of said certificate such corporation
48 shall cease to exist.

§ 15. Any officer, director, trustee or manager, or any other person
2 having charge of the books and papers of any corporation conducting busi-
3 ness under the provision of this act, who shall wilfully neglect or refuse to
4 comply with the provisions of this act, shall be subject to a fine of not less
5 than \$10 nor more than \$100 for each offense. Any person who shall act
6 as agent, or be instrumental in securing or inducing any person to become
7 a member of any assessment-plan corporation, association or society that has
8 not complied with the provisions of this act, shall be deemed guilty of a
9 misdemeanor, and shall be subject to a fine of not less than \$10 nor more
10 than \$50 for each offense, and shall be imprisoned in the county jail located
11 in the county where the conviction is secured, until such fine is paid, not
12 exceeding thirty days for each conviction.

§ 16. The first statement to the auditor of public accounts, as required
2 under the provisions of section 9, of this act, shall be made on or before the
3 first day of September, A. D. 1883, and shall embrace all the facts required
4 by the provisions of this act, from the date of organization up to the thirty-
5 first day of December, A. D. 1882. Any corporation, association or society
6 failing or refusing to make the statement required by this section within the
7 time specified, shall be proceeded against in the same manner and shall be
8 subject to the same penalty as provided in section 12 of this act.

§ 17. Any corporation, association or society organized under the laws of
2 any other State or government, except secret societies having subordinate

3 lodges or councils, and which are now permitted to do business in this State
4 for the purpose of furnishing life, accident or permanent disability indemnity
5 upon the assessment plan, where benefits are paid to such as have an
6 insurable interest only, or that is carrying on the business of life or accident
7 insurance on the assessment plan, as provided in section 1, complying with
8 the provisions of this act, shall be licensed by the Auditor of Public Accounts,
9 upon the payment to him of a fee of \$25, to do business in this State, pro-
10 vided such corporation, association or society shall first deposit with the said
11 Auditor a certified copy of its charter or articles of incorporation, a copy of
12 its statement of business for the preceding year, sworn to by its president and
13 secretary, or like officers, showing a detailed account of expenses and income,
14 the amount of life indemnity in force, its assets and liabilities in detail, num-
15 ber of members, and a certificate sworn to by the president and secretary,
16 or like officers, setting forth that an ordinary assessment upon its members
17 is sufficient to pay its maximum certificate of membership to the full limit
18 named therein; a certificate from the State official charged with the enforce-
19 ment of the insurance laws, or, if there be no such official, a certificate
20 from the Attorney-General of its home State, certifying that corporations,
21 associations or societies furnishing life indemnity on the assessment plan,
22 and whose ordinary assessments are sufficient to pay its maximum certificate
23 in full, and are chartered under the laws of this State, are legally entitled
24 to do business in its home State; a copy of its policy or certificate of
25 membership, application and by-laws, which must show that death losses
26 are in the main provided for by assessments upon the surviving members;
27 and it shall legally designate a person or agent residing in this State, to
28 receive service of process for said corporation, or in default of such designa-
29 tion, service of process may be made upon the Auditor of Public Accounts
30 of Illinois, who shall be deemed its agent for that purpose, and he shall
31 immediately notify any corporation thus served. The license herein provided
32 for shall be revoked by the Auditor of Public Accounts, whenever, upon
33 investigation, he is satisfied that such corporation is not paying or able to
34 pay the maximum amount named in its certificates or policies in full. When

35 any such license is revoked, the Auditor shall give notice thereof by mail to
 36 the president and secretary of the corporation and publish a notice thereof in
 37 a newspaper of general circulation published in the city of Springfield, and
 38 no new business shall be thereafter done by it or its agents in this State.
 39 When the laws or the rulings of the insurance officials of any other State or
 40 country shall impose any obligation upon any such corporation of this State,
 41 or its agents, the like obligations shall be imposed on similar corporations and
 42 their agents of such State or country doing business in this State.

§ 18. Such corporations associations or societies shall pay to the said
 2 Auditor, upon filing each annual statement, a fee of \$10; and in the event
 3 of its failure to make such statement on or before the first day of March of
 4 each year, the Auditor shall revoke its license, and thereafter, or until such
 5 statement is made, it shall be deemed to be doing business unlawfully in this
 6 State. When the Auditor of Public Accounts shall have reason to doubt
 7 the solvency of any foreign corporation, association or society acting under
 8 the provisions of this act, and when he is not fully satisfied with the certifi-
 9 cate of the insurance commissioner, or other like officer, he may proceed to
 10 make an examination as provided in this act for the examination of corpora-
 11 tions organized in this State; and should he find that it has made fraudulent
 12 or untrue statements, or that it is conducting its business in an irregular and
 13 illegal manner, or if he shall be of the opinion that any such corporation is
 14 in this State conducting its business fraudulently, or is not in good faith
 15 carrying out its contracts with its members in this State, he shall report the
 16 same to the Attorney General, who shall thereupon commence proceedings,
 17 by writ of *quo warranto*, against such corporation or association, requiring
 18 it to show cause why its license to do business in this State should not be
 19 revoked. And any such foreign corporation or association now doing business
 20 in this State, that shall refuse or neglect to comply with the provisions of
 21 this act within the space of ninety days after passage thereof, shall be deemed
 22 to be doing business unlawfully; and if any officer, agent or employe of any
 23 such corporation or association shall do business in this State, or assist in

24 or knowingly permit the same, unless such corporation or association has com-
25 plied with the provisions of the laws of this State, applicable to the same, he
26 shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall
27 be fined not less than \$50 nor more than \$1,000, or be imprisoned in the
28 county jail not less than thirty days nor more than one year, or both in the
29 discretion of the court.

§ 19. All laws or parts of laws in conflict with this act are hereby repealed.

1. Introduced by Mr. Cochran, February 16, 1887, and ordered to first reading.
 2. First reading February 16, 1887, and referred to Committee on Judiciary.
 3. Reported back March 4, 1887, with amendment, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, by adding thereto sections to be numbered respectively 257½ and 257¼.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be and is hereby amended by adding thereto the following sections, numbered respectfully two hundred fifty-seven and one-fourth (257¼) and two hundred fifty-seven and one-half (257½).

"Section 257½. If any person seduce and debauch any unmarried woman of previously chaste character he shall be punished by imprisonment in the penitentiary not more than five years, or by fine not exceeding one thousand dollars and imprisonment in the county jail not exceeding one year.

"Section 257¼. If before judgment upon an indictment, the defendant marry the woman thus seduced, it is a bar to any further prosecution for the offense."

AMENDMENTS TO SENATE BILL NO. 262, PROPOSED BY JUDICIARY COMMITTEE.

First—Amend by inserting after the word "woman" in line 19, the following, "under the age of twenty-one years."

1. Introduced by Mr. McGrath, February 17, 1887, and ordered to first reading.
2. First reading February 17, 1887, and referred to Committee on Military.
3. Reported back March 8, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections one and two, of article ten, of an act entitled "An act to provide for the organization of the State Militia, entitled 'The Military Code of Illinois,'" approved May 28, 1879, in force July 1, 1879, as amended by the act approved June 26, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represente*

2 *in the General Assembly*, That sections one and two, of article ten, of
3 "An act to provide for the organization of the State Militia entitled 'The
4 Military Code of Illinois,'" approved May 28, 1879, in force July 1, 1879,
5 as amended by the act approved June 26, 1885, in force July 1, 1885, be
6 and the same is hereby so amended as to read as follows:

7 ARTICLE VIII.

8 "Section 1. When in actual service for the suppression of riot and the
9 enforcement of the laws, and when on duty under orders of the Com-
10 mandant-in-Chief, and it is so specified in said orders, officers of the Illinois
11 National Guard shall receive the same pay as provided by law for officers
12 of the United States Army of like grade, and the enlisted men of the
13 Illinois National Guard shall receive two dollars (\$2.00) per day for each
14 day's service actually so performed, said payment to be made on rolls
15 prescribed by the Adjutant General.

16 "Section 2. The officers and enlisted men of the Illinois National Guard
17 shall receive one dollar (\$1.00) for each day's service, with transportation
18 and necessary subsistence, at any encampment authorized by law, and in
19 going to and returning from the same, and while under orders of the Com-
20 mander-in-Chief, or other proper authority, for the purposes and in the
21 manner herein provided."

1. Introduced by Mr. Organ, February 17, 1887, and ordered to first reading.
2. First reading February 17, 1887, and referred to Committee on Judiciary.
3. Reported back March 2, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 10 of an act entitled "An act to revise the law in relation to coroners," approved February 6, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section ten (10) of an act entitled "An act to
3 revise the law in relation to coroners," approved February 6, 1874, in force
4 July 1, 1874, be amended so as to read as follows:
5 "Section 10. Every coroner whenever he knows, or is informed that the dead
6 body of any person is found, or lying within his county, and that there is
7 reason for believing that such person came to his or her death through vio-
8 lence inflicted or produced by any other person, or that any person is or may
9 be guilty of murder or manslaughter in connection with such death, then,
10 and not otherwise, he shall repair to the place where the dead body is and
11 take charge of the same, and forthwith summon a jury of six good and
12 lawful men of the neighborhood where the body is found or lying, to
13 assemble at the place where the body is, at such time as he shall direct,
14 and upon a view of the body, to inquire into the cause and manner of
15 the death: *Provided,* that upon the request of the family or relatives, or
16 any of them, of a person dying by violence, casualty, or undue means, an
17 inquest may be held upon such body."

AMENDMENT TO SENATE BILL NO. 264, PROPOSED BY COMMITTEE
ON JUDICIARY.

Insert in line six, section 10, between the words "death" and "then,"
2 the words "or that such death was occasioned from any mysterious or
3 unknown cause."

1. Introduced by Mr. Darnell, February 17, 1887, and ordered to first reading.
 2. First reading February 17, 1887, and referred to Committee on State Charitable Institutions.
 3. Reported back April 28, 1887. passage recommended, and ordered to second reading.
-

A BILL

For An Act to prevent the bringing of pauper children into this State, and to provide penalties therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person, association or corporation, to bring into this State any child under the age of eighteen years, who is a pauper or who will be dependent upon the charity of others for support, nurture or maintenance, or for the purpose of binding or apprenticing such child to any person, corporation or association in this State, or of placing or putting such child in any family in this State, unless such child be related by affinity or consanguinity to the person to whom bound or apprenticed, or in whose family such child may be placed.

§ 2. Any person, corporation or association bringing into this State any such child, or having the same within this State for the purpose or with the intent to leave said child in this State, shall on conviction for each offense be fined in any sum not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

§ 3. It is hereby made the duty of the State's attorney of the counties of this State to prosecute all offenses under this act. Such prosecutions may be by indictment or by information in any court having jurisdiction thereof.



1. Received from House May 11, 1887, and ordered to first reading.
2. First reading May 13, 1887, and referred to Committee on Appropriations.
3. Reported back June 8, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act for the relief J. C. LeMay of Macoupin county, Illinois, and making an appropriation for his benefit.

WHEREAS, the said J. C. LeMay was in the month of May, 1885, the owner of four (4) mares, of the value of eight hundred dollars (\$800), which said mares were then infected incurably with contagious and infectious glanders; and,

WHEREAS, the said J. C. LeMay in the early part of May, 1885, notified N. H. Paaren, then State Veterinarian, of the fact that he believed his said mares were so glandered, and requested the said Paaren to, at once, examine them for the purpose of ascertaining whether or not they were so glandered, as was the legal duty of the said Veterinarian, being so notified; and,

WHEREAS, said Veterinarian failed to promptly examine said mares, or cause the same to be examined by some person legally authorized so to do, as was his legal duty, and did not examine them until the 13th day of August, 1885, when he did examine said mares, and did decide that they were incurably infected with contagious and infectious glanders, and did direct that they be destroyed within three days from the said 13th day of August, 1885, which was done in pursuance of said order; and,

WHEREAS, for more than a month from and after the time said Veterinarian was notified of the condition of said animals, the law allowing the owner of animals slaughtered under like circumstances, compensation for the same,

21 remained in full force, and the premises considered, said animals should
22 have been examined and slaughtered within said period; and,

23 WHEREAS, the said J. C. LeMay is, under the circumstances, justly entitled
24 to compensation for his said mares; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the* sum of three hundred dollars be and
3 the same is hereby appropriated to the use and benefit of the said J. C. LeMay
4 in full payment for his said four (4) mares so destroyed by order of
5 said State Veterinarian.

§ 2. Upon a release being filed by the said J. C. LeMay, with the Auditor
2 of Public Accounts, of all damages sustained by him by reason of the de-
3 struction of said mares by said order of said Veterinarian, the Auditor of Public
4 Accounts shall draw his warrant for the sum of three hundred dollars on the
5 State Treasurer, payable to the said J. C. LeMay out of any funds not otherwise
6 appropriated in the State treasury, and the State Treasurer shall pay the
7 same out of any money in the State treasury not otherwise appropriated.

-
1. Introduced by Mr. Higgins, February 17, and ordered to first reading.
 2. First reading February 17, 1887, and referred to Committee on Education and Educational Institutions.
 3. Reported back March 9, passage recommended, and ordered to second reading.

A BILL

For An Act to repeal an act entitled "An act for the establishment of a system of graded schools in the town of Waterloo and vicinity," approved March 29, 1869, in force from and after its passage.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act for the establishment of a system of graded schools in the town of Waterloo and vicinity," in force from and after its passage, approved March 29, 1869, be and it is hereby repealed.

1. Introduced by Mr. Burke, February 18, 1887, and ordered to first reading.
2. First reading February 18, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back April 21, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to the management of the prisoners in the State Prisons
of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* There is hereby created a Board of Penitentiary
3 Commissioners of the State of Illinois, who are to be appointed by the Gover-
4 nor, by and with the consent of the Senate, and are to hold office for five
5 years, except as herein provided, and not more than three of whom shall
6 belong to the same political party, and at least three of whom shall be taken
7 from the existing commissioners. One member of said board is to be ap-
8 pointed for one year, one for two years, one for three years, one for four
9 years, and one for five years; and at the expiration of the term of office of
10 any commissioner, his successor shall be appointed for five years.

§ 2. Said board shall have the government and control of all of the peni-
2 tentiaries and other prisons in charge of the State, and of the prisoners
3 sentenced thereto, shall prescribe the uniform or clothing of the prisoners, and may
4 make and adopt, with the consent of the Governor, such regulations to govern
5 the prisoners and maintain discipline, and to work, educate and instruct the
6 prisoners, as in their opinions will best serve the enlightened self-interest of
7 the State; and in order to diversify the employment of the prisoners, said
8 commissioners may acquire, either by purchase or by condemnation, under

9 the eminent domain laws of this State, such land or lands lying near the
10 prisons, as in their judgment can be operated by the prisoners to the ad-
11 vantage of the State.

§ 3. For the purpose of stimulating industry, removing temptation to desert
2 and maintaining discipline, said commissioners may make such regulations in
3 regard to permitting the prisoners to earn something over and above the total
4 cost of keeping, guarding and instructing, as in their judgment will best serve
5 the enlightened self-interest of the State, and will, so far as possible, operate
6 equitably among the prisoners doing different kinds of work. But nothing in
7 this section contained shall be construed so as to repeal the law requiring
8 managers of public institutions to keep within the appropriations for any current
9 year. Any money which may be so earned by a prisoner shall be credited to
10 him, and all under a sum to be fixed by the commissioners shall remain on
11 deposit with the warden, and if not forfeited by fines for bad conduct, shall
12 be paid to the prisoner either on being discharged, or in installments after
13 discharge, as may be deemed for the best interest of the prisoner, and any
14 money so earned over and above the sum so fixed may, in case the prisoner
15 has a dependent family, be sent by the warden to the family of the prisoner,
16 or to those to whom he may wish it sent; and in no case shall a prisoner
17 be discharged or permitted to leave the prison until he shall have sixty dollars
18 standing to his credit, as above provided, to maintain him for a reasonable
19 time until he can get employment, so that he will not at once be driven to
20 beg, starve or steal: *Provided*, that where it shall be made to appear to the
21 satisfaction of the warden that a prisoner will be received and provided for
22 by his family or other responsible parties, should he be unable to get employ-
23 ment, the warden shall satisfy himself as to the ability of the family to supply
24 work or a home, or he shall take a guaranty in writing from such parties,
25 other than the family, that they will furnish such prisoner a home or the
26 means of earning a living for a given period to be fixed by the commissioners,
27 which shall not be less than three months; and having thus satisfied himself
28 or taken such guaranty, the warden shall discharge such prisoner, although
29 he may not have a sum to his credit as above required: *And, provided, fur-*

30 *ther*, that the commissioners may fix a higher rate of wages or extras to be
31 paid prisoners who have served out their sentence and are held only to earn
32 a sum of money to support them until they can get employment, as above
33 provided, than the rate of wages or extras paid to prisoners whose sentence
34 has not expired.

§ 4. Said prisoners shall, as far as possible, manufacture all articles which
2 may hereafter be needed in the various institutions maintained in whole or in
3 part by the State, and which supplies are not manufactured in such institu-
4 tions themselves; and it shall be the duty of the superintendent, or other
5 officer whose duty it may be to procure supplies for any institution maintained
6 in whole or in part by the State, to make out a list of the supplies or manu-
7 factured articles which may be required by such institution from time to time,
8 and send the same to the chairman of the Board of Penitentiary Commis-
9 sioners at least sixty days in advance of the time when such supplies may be
10 needed, and the chairman of said board shall, within ten days thereafter, inform
11 such superintendent or other officer, what part of said list can be supplied by
12 said commissioners, and any part of said list which cannot be supplied by said
13 board may be purchased by such superintendent or other officer in the open
14 market. In case of an emergency where supplies are needed at once, such
15 superintendent or other officer shall in the first instance apply to the board
16 of commissioners, and if said board cannot furnish such supplies at once,
17 they shall so advise such superintendent or other officer, and such supplies
18 as are needed at once may then be purchased in the open market, but in
19 no case of this character shall an amount be purchased to exceed \$
20 in value, without the consent of the Governor, nor shall more than one pur-
21 chase be made in any one month without the consent of the Governor. In
22 all cases where supplies are furnished by said board of commissioners to any
23 of said institutions, such supplies shall be paid for by said institution at
24 their fair market value; and in case of a disagreement as to such market
25 value, or as to the quality or character of the supplies thus furnished, the
26 same shall be determined by.....
27 whose decision shall be final.

§ 5. In order to keep the prisoners all employed, the Board of Commissioners may take contracts to manufacture articles of any character for other parties, where such other parties furnish the material. But in no case, except where manufacturing goods to be furnished other State institutions, as above provided, shall more than fifty (50) men work in the same general line of industry at the same time. Said commissioners may also quarry and dress stone either for others, or on account of the State, and may take contracts to supply stone in the rough and dressed, but in no case, except during December, January, February, and March, shall more than fifty (50) men work at quarrying, nor more than fifty (50) men work at stone dressing at the same time, nor shall during the months named more than fifty (50) men work at stone dressing.

§ 6. Said Board of Penitentiary Commissioners shall have authority to designate one of the penitentiaries of the State as a reformatory prison, and shall make such transfers of convicts from one penitentiary to the other as will separate, as far as possible, such convicts as are susceptible of reformation from hardened and incorrigible convicts, and shall direct the treatment of the convicts in said reformatory prison by such system of government, education, labor and discipline as may be deemed best adapted to secure their reformation.

§ 7. Every sentence to the penitentiary of a person convicted of felony, except for murder, may be, if the court decree it best, a general sentence of imprisonment in such reformatory institution. The term of imprisonment of any person so convicted and sentenced may be terminated by such Board of Commissioners; but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted; and no such prisoner shall be released until after he shall have served at least the minimum term provided by law for the crime for which he was convicted.

§ 8. Every clerk of any court by which a criminal shall be sentenced to said institution, whenever the term of such sentence is fixed by the court, shall furnish the officer taking such criminal in charge, with a record con-

30 *ther*, that the commissioners may fix a higher rate of wages or extras to be
31 paid prisoners who have served out their sentence and are held only to earn
32 a sum of money to support them until they can get employment, as above
33 provided, than the rate of wages or extras paid to prisoners whose sentence
34 has not expired.

§ 4. Said prisoners shall, as far as possible, manufacture all articles which
2 may hereafter be needed in the various institutions maintained in whole or in
3 part by the State, and which supplies are not manufactured in such institu-
4 tions themselves; and it shall be the duty of the superintendent, or other
5 officer whose duty it may be to procure supplies for any institution maintained
6 in whole or in part by the State, to make out a list of the supplies or manu-
7 factured articles which may be required by such institution from time to time,
8 and send the same to the chairman of the Board of Penitentiary Commis-
9 sioners at least sixty days in advance of the time when such supplies may be
10 needed, and the chairman of said board shall, within ten days thereafter, inform
11 such superintendent or other officer, what part of said list can be supplied by
12 said commissioners, and any part of said list which cannot be supplied by said
13 board may be purchased by such superintendent or other officer in the open
14 market. In case of an emergency where supplies are needed at once, such
15 superintendent or other officer shall in the first instance apply to the board
16 of commissioners, and if said board cannot furnish such supplies at once,
17 they shall so advise such superintendent or other officer, and such supplies
18 as are needed at once may then be purchased in the open market, but in
19 no case of this character shall an amount be purchased to exceed \$
20 in value, without the consent of the Governor, nor shall more than one pur-
21 chase be made in any one month without the consent of the Governor. In
22 all cases where supplies are furnished by said board of commissioners to any
23 of said institutions, such supplies shall be paid for by said institution at
24 their fair market value; and in case of a disagreement as to such market
25 value, or as to the quality or character of the supplies thus furnished, the
26 same shall be determined by
27 whose decision shall be final.

§ 5. In order to keep the prisoners all employed, the Board of Commissioners may take contracts to manufacture articles of any character for other parties, where such other parties furnish the material. But in no case, except where manufacturing goods to be furnished other State institutions, as above provided, shall more than fifty (50) men work in the same general line of industry at the same time. Said commissioners may also quarry and dress stone either for others, or on account of the State, and may take contracts to supply stone in the rough and dressed, but in no case, except during December, January, February, and March, shall more than fifty (50) men work at quarrying, nor more than fifty (50) men work at stone dressing at the same time, nor shall during the months named more than fifty (50) men work at stone dressing.

§ 6. Said Board of Penitentiary Commissioners shall have authority to designate one of the penitentiaries of the State as a reformatory prison, and shall make such transfers of convicts from one penitentiary to the other as will separate, as far as possible, such convicts as are susceptible of reformation from hardened and incorrigible convicts, and shall direct the treatment of the convicts in said reformatory prison by such system of government, education, labor and discipline as may be deemed best adapted to secure their reformation.

§ 7. Every sentence to the penitentiary of a person convicted of felony, except for murder, may be, if the court decree it best, a general sentence of imprisonment in such reformatory institution. The term of imprisonment of any person so convicted and sentenced may be terminated by such Board of Commissioners; but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted; and no such prisoner shall be released until after he shall have served at least the minimum term provided by law for the crime for which he was convicted.

§ 8. Every clerk of any court by which a criminal shall be sentenced to said institution, whenever the term of such sentence is fixed by the court, shall furnish the officer taking such criminal in charge, with a record con-

4 taining a copy of the indiotment, the name and residence of the judge
5 presiding at the trial, of the jurors, and of the witnesses sworn at the trial,
6 a statement of all facts which the presiding judge may deem necessary for the
7 full comprehension of the case, and his reason for, and a copy of the sentence
8 inflicted.

§ 9. The Board of Commissioners shall make such rules and regulations
2 for the government of such prison as shall best promote the reformation of
3 the convicts therein, as may from time to time appear to be necessary, or
4 promotive of the purposes of this act. They shall make provision for the
5 separation or classification of prisoners into different grades, with promotion
6 or degradation, according to merit, for their employment and instruction in
7 useful branches of industry, for their education, and for the conditional or
8 absolute release of prisoners, sentenced under this act, and their arrest and
9 return to custody within the institution; but in no case shall any prisoner be
10 released, either conditionally or absolutely, before the expiration of his sentence,
11 unless there is in the judgment of the commissioners reasonable ground to
12 believe that he will, if released, live without violation of the law, and that
13 his release is not incompatible with the welfare of society. In order that good
14 behavior may be properly rewarded, the board shall provide, by rules and
15 regulations, for a correct daily record of the conduct of each prisoner, and
16 his fidelity and diligence in the performance of his duty. At the expiration
17 of sentence the Governor may, upon the recommendation of the commis-
18 sioners and warden, or twenty reputable citizens, certified to be such by
19 the County Judge of the county from which said prisoner was sentenced,
20 issue certificate of restoration to citizenship.

§ 10. The said Board of Commissioners shall establish rules and regu-
2 lations, under which prisoners sentenced under this act, may be allowed to
3 go upon parole outside of said prison; subject at any time to be taken
4 back within the enclosure of said institution, upon the written order of
5 said board, certified by its secretary, which order, when entered upon the
6 records of said board, shall be a sufficient warrant for all officers named

7 therein to return to actual custody any conditionally released or so paroled
8 prisoner; and it is hereby made the duty of all officers to execute said
9 order the same as any criminal process.

§ 11. It shall be the duty of said board of commissioners to adopt such
2 rules concerning all prisoners committed to their custody as shall prevent
3 them from returning to criminal courses, best secure their self-support and
4 accomplish their reformation. When any prisoner shall be received into any
5 penitentiary upon direct sentence thereto, the warden shall cause to be en-
6 tered in a register the date of such admission, the name and age, nativity,
7 nationality, and such other facts as can be ascertained of parentage and of
8 early social influences as seem to indicate the constitutional and acquired
9 defects and tendencies of the prisoner, and based upon these, an estimate
10 of the then present condition of the prisoner and the best probable plan of
11 treatment. And the physician of the penitentiary shall carefully examine
12 each prisoner, and shall enter in a register to be kept by him the name,
13 nationality or race, the weight, stature, and former occupation and family
14 history of each prisoner; also, statement of the condition of the heart and
15 lungs and other leading organs, the rate of the pulse and the respiration,
16 the measure of the chest and abdomen, and any existing disease or deformity
17 acquired or inherited. Upon the warden's register shall be entered, from
18 time to time, minutes of observed improvement or deterioration of character,
19 and notes as to methods and treatment employed; also, all orders or altera-
20 tions affecting the standing or situation of such prisoner, and any subse-
21 quent facts or personal history which may be brought officially to the knowl-
22 edge of the warden, bearing upon the question of the final release of the
23 prisoner, or his being suffered to go out on parole. And it is hereby pro-
24 vided, that any prisoner violating the conditions of his parole or conditional
25 release, (by whatever name) as affixed by the commissioners, when by a
26 formal order entered in the commissioners' proceedings, he is declared delin-
27 quent, shall thereafter be treated as an escaped prisoner, and shall be liable,
28 when arrested, to serve out the unexpired period of the maximum possible

20 imprisonment, and any prisoner at large upon parole or conditional release
30 sentenced anew to the penitentiary, shall be subject to serve the second
31 sentence after the first sentence is served or annulled, to commence from
32 date of termination of his liabilities on the first or former sentence.

§ 12. All acts and parts of acts inconsistent with the provisions of this
2 act are hereby repealed.

AMENDMENT TO SENATE BILL NO. 267.

Amend section 5, in lines 8, 9, 16, 17 and 18, of original bill, by strik-
2 ing out the words and figures "fifty (50)," and insert therefor the words "two
3 hundred."



1. Introduced by Mr. Gore, February 18, 1887, and ordered to first reading.
2. First reading, February 18, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back April 15, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one (1), of chapter eighty-two (82), Revised Statutes, entitled "Liens," be amended so as to read as follows:*

"Section 1. That any person who shall, by contract, express or implied, or partly expressed and partly implied, with the owner of any lot, piece or tract of land, furnish labor or materials, or services as an architect, or superintendent, in building, altering, repairing, or ornamenting any house or other building or appurtenance thereto on such lot, or upon any street or alley, and connected with such building or appurtenance, or shall furnish any drain tile, or labor to drain any tract of land, lot or building, shall have a lien upon the whole of such tract of land or lot, and upon such house or building and appurtenance, for the amount due to him for such labor, material or services."

AMENDMENTS TO SENATE BILL No. 268, PROPOSED BY THE COMMITTEE ON AGRICULTURE AND DRAINAGE.

Amend by adding the following: "*Provided, however, that nothing herein contained shall be held to affect the exemption to homestead so far as a lien is given for drain e.*"



1. Introduced by Mr. Thompson, February 18, 1887, and ordered to first reading.
2. First reading February 18, 1887, and referred to Committee on Judiciary.
3. Reported back, April 22, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the examination and appointment of Licensed Surveyors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the Governor of the State of Illinois shall
3 nominate and (by and with the consent of the Senate) appoint three surveyors,
4 who shall be commissioned as licensed surveyors, to be called "The State
5 Commissioners for the Examination of Surveyors," to be selected from the
6 best practical surveyors of the State most distinguished for their scientific and
7 practical knowledge of surveying, one of whom shall be appointed to hold his
8 office for two years, one for four years and one for six years, respectively, from
9 the first Monday of July, A. D. 1887, and until their successors shall be ap-
10 pointed and qualified. And during the month of January, A. D. 1889, and
11 every two years thereafter, the Governor, by and with the consent of the
12 Senate, shall appoint one commissioner, to be selected from the most
13 skillful and experienced of the licensed surveyors, as hereinafter provided
14 for, to fill the place of the commissioner whose term of office shall expire
15 on the first Monday of July thereafter. And it shall be the duty of said
16 commissioners, or a majority of them, to meet at least once in Springfield,
17 and once in Chicago, within the first year after the passage of this act,
18 and at least once a year thereafter, at some place to be by them designated,

19 notice whereof shall be given for twenty days preceding the time of said
 20 meeting, in a newspaper published in the county where the said meeting is
 21 to be held, to all persons desirous of obtaining a license to survey, of the
 22 time and place of said meeting. It shall be the duty of the said commis-
 23 sioners, or a majority of them, to examine and pass upon the qualifications
 24 of all applicants for said license, and to certify to the Governor the names
 25 of such applicants as they may find to be thoroughly qualified in the theory
 26 and practice of surveying, and who shall have produced satisfactory proof of
 27 strict integrity and moral character; and thereupon it shall be the duty of
 28 the Governor to issue a commission, under the seal of the State, to each
 29 of said applicants so certified to, licensing and empowering them, as sur-
 30 veyors, to survey in any and all parts of this State, and to do and per-
 31 form all acts in relation to surveying the same as county surveyors are
 32 now or may be hereafter authorized to do by the laws of this State.

§ 2. Each surveyor commissioned as aforesaid, before proceeding to sur-
 2 vey, shall take and subscribe on oath, before some clerk of the circuit or
 3 county court in this State, that he will in all things faithfully and im-
 4 partially perform the duties of surveyor to the best of his skill and abilities,
 5 which oath shall be endorsed on his commission, and said commission shall be
 6 entered for record in the recorder's office of each of the counties of this
 7 State in which said surveyor shall make surveys, and a certified copy of
 8 said record shall be evidence in all courts of law and equity, without pro-
 9 ducing or accounting for said original commission.

§ 3. Each licensed surveyor, as aforesaid, shall before making a survey of
 2 any tract of land, provide himself with a copy of the government plats and
 3 field notes thereof, and with such other recorded evidence of survey as may
 4 be necessary to his purpose, and shall make his survey in conformity thereto,
 5 and to the acts of Congress, and to the statutes of Illinois governing the
 6 same, and he shall be authorized and required to administer to his chainmen
 7 and flagmen the necessary oath for the faithful and proper performance of
 8 their respective duties, and he shall be empowered to administer and certify

9 any oath required to be taken by commissioners for the assignment of dower,
10 or the partition of real estate, or by any commissioner or viewer, to mark,
11 locate or relocate any public highway or private road, and to take the evi-
12 dence, and to incorporate the same with his survey, of any person who may
13 be able to identify any original government or other legally established corner,
14 or witness thereto, or government line tree, whenever such licensed surveyor
15 may be in doubt as its identity or verity.

§ 4. All chainmen, flagmen and other necessary hands, in any survey, shall
2 be furnished by the person for whose benefit such surveying is done, and they
3 shall be good and disinterested persons to be approved by such licensed sur-
4 veyor.

§ 5. All surveys and proceedings had and done by said licensed surveyor,
2 under and by virtue of this act, shall be held and taken to be *prima facie*
3 correct; and all plats and certificates thereof, under the hand of said surveyor,
4 shall be received in evidence in all courts of law and equity in this State,
5 and be entitled to be entered of record in the recorder's office of the several
6 counties thereof; but no such plat or certificate made by such licensed sur-
7 veyor, or by any county surveyor, of any division of land, or any new street,
8 highway or alley, within any incorporated town, shall be so recorded, until it
9 shall be first approved by the proper authorities of said city or town.

§ 6. The circuit court of the county where any surveyor commissioned
2 under the provisions of this act may survey, shall have power to annul
3 said commission upon satisfactory evidence being presented of the incom-
4 petency or misconduct of such surveyor, said surveyor having been duly
5 notified to appear in his own defense. And upon such annulment and notice
6 thereof from said court the Secretary of State shall cancel the same and mark
7 the date of such canceling upon the records in his office.

§ 7. Each applicant for license under this act shall pay into the hands of
2 the said commissioners the sum of twenty dollars as a fee. The commission-
3 ers shall pay from the fund so established all the expenses actually necessary
4 to fully carry out this act, including their own necessary expenses while

5 actually engaged in the discharge of their duties. The said commissioners
6 shall not allow to themselves any other compensation or emolument: *Pro-*
7 *vided*, that any candidate who may fail to pass an examination shall be
8 entitled to a second examination, not less than six months nor more than
9 one year after such failure, without further payment therefor.

§ 8. The said commissioners shall meet within thirty days after this act
2 goes into effect and organize. They shall elect one of their number treasurer,
3 who shall make a bond, of amount to be determined by the said commission-
4 ers, to be approved by the Governor, and file the same in the office of the
5 Secretary of State. And annually, during the ten days preceding the first
6 day of January the said commissioners shall make a report to the Governor
7 of all acts performed by them, and account for all funds placed in their
8 hands.

AMENDMENTS TO SENATE BILL NO. 269, PROPOSED BY COMMITTEE
ON JUDICIARY.

- Amend by striking out in lines three, four, and five of section five (5,)
2 the words "shall be held and taken to be *prima facie* correct."
3 Amend by striking out all of section five (5,) after the word "State."

- 1 Introduced by Mr. McGrath, February 8, 1887, and ordered to first reading.
- 2 First reading February 8, 1887, and referred to Committee on Education and Educational Institutions.
- 3 Reported back March 24, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 18 of an act entitled "An act to establish and maintain a system of Free Schools.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the directors of each district, and the boards of education in any incorporated city, town or village, where the district system is not in force, are authorized to purchase direct from publishers or dealers, at the lowest wholesale or contract prices, such necessary school text-books and other school supplies as may be determined by the boards of education or directors of districts, and furnish the same to pupils in the schools under their control at cost price, and each board of education or directors of districts **are** authorized to pay for such necessary school text-books and other school supplies out of the contingent fund at their disposal.

§ 2. This act shall take effect and be in force from and after its passage.

1. Received from House April 28, 1887, and ordered to first reading.
2. First reading May 11, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section three of an act entitled "An Act to establish and maintain a Soldiers and Sailors' Home in the State of Illinois," and provide for the maintenance thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section three of "An Act to establish a
3 Soldiers and Sailors' Home," approved June 26, 1885, in force July 1,
4 1885, be amended to read as follows:

5 "Section 3. The object of the Soldiers' and Sailors' Home shall be to
6 to provide a home and subsistence for honorably discharged ex-soldiers and
7 sailors who served in the war of the rebellion and the Mexican war, who
8 are now and shall be prior to the time they may apply, bona fide resi-
9 dents of the State for two years, and who are not now inmates of
10 National Soldiers and Sailors' Home claiming residence in this State, who
11 may have become disabled through the exigencies of such service, or who
12 by reason of old age or other disabilities are disqualified from earning a
13 livelihood: *Provided,* that soldiers who are in the poor-houses of this State
14 shall be admitted to the Home in the first instance. Therefore, an emer-
15 gency exists, and this act shall take effect from and after its passage.



1. Received from House April 28, 1887, and ordered to first reading.
 2. First reading May 11, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend section three of an act entitled "An Act to establish and maintain a Soldiers and Sailors' Home in the State of Illinois," and provide for the maintenance thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section three of "An Act to establish a
3 Soldiers and Sailors' Home," approved June 26, 1885, in force July 1,
4 1885, be amended to read as follows:
5 "Section 3. The object of the Soldiers' and Sailors' Home shall be to
6 to provide a home and subsistence for honorably discharged ex-soldiers and
7 sailors who served in the war of the rebellion and the Mexican war, who
8 are now and shall be prior to the time they may apply, bona fide resi-
9 dents of the State for two years, and who are not now inmates of
10 National Soldiers and Sailors' Home claiming residence in this State, who
11 may have become disabled through the exigencies of such service, or who
12 by reason of old age or other disabilities are disqualified from earning a
13 livelihood: *Provided,* that soldiers who are in the poor-houses of this State
14 shall be admitted to the Home in the first instance. Therefore, an emer-
15 gency exists, and this act shall take effect from and after its passage.

1. Introduced by Mr. Eckhart, February, 18, 1887, and ordered to first reading.
2. First reading February 18, 1887, and referred to Committee on Municipalities.
3. Reported back March 2, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one of article five of "An act to provide for the Incorporation of Cities and Villages," approved April 10, 1872, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, as follows:* That section one of article five of

3 an act entitled "An act to provide for the incorporation of Cities and

4 Villages," be amended so as to read as follows, viz:

5 "Section 1. The city council in cities, and president and the board of
6 trustees in villages, shall have the following powers.

7 *First*—To control the finances and property of the corporation.

8 *Second*—To appropriate money for corporate purposes only, and provide
9 for payment of debts and expenses of the corporation.

10 *Third*—To levy and collect taxes for general and special purposes on
11 real and personal property.

12 *Fourth*—To fix the amount, terms and manner of issuing and revoking
13 licenses.

14 *Fifth*—To borrow money on the credit of the corporation for corporate
15 purposes, and issue bonds therefor, in such amounts and form, and on such
16 conditions as it shall prescribe, but shall not become indebted in any
17 manner or for any purpose to an amount, including existing indebtedness,

18 in the aggregate to exceed five (5) per centum on the value of the tax-
 19 able property therein, to be ascertained by the last assessment for the
 20 State and county taxes previous to the incurring of such indebtedness,
 21 and before or at the time of incurring any indebtedness, shall provide for
 22 the collection of a direct annual tax sufficient to pay the interest on such
 23 debt as it falls due, and also to pay and discharge the principal thereof
 24 within twenty years after contracting the same.

25 *Sixth*—To issue bonds in place of or to supply means to meet maturing
 26 bonds, or for the consolidation or funding of the same.

27 *Seventh*—To lay out, to establish, open, alter, widen, extend, grade, pave
 28 or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and
 29 public grounds, and vacate the same.

30 *Eighth*—To plant trees upon the same.

31 *Ninth*—To regulate the use of the same.

32 *Tenth*—To prevent and remove encroachments or obstructions upon the
 33 same.

34 *Eleventh*—To provide for the lighting of the same.

35 *Twelfth*—To provide for the cleaning of the same.

36 *Thirteenth*—To regulate the openings therein for the laying of gas or water
 37 mains and pipes, and the building and repairing of sewers, tunnels and
 38 drains, and erecting gas lights: *Provided, however,* that any company
 39 heretofore organized under the general laws of this State, or any association of
 40 persons organized, or which may be hereafter organized for the purpose of man-
 41 ufacturing illuminating gas to supply cities or villages, or the inhabitants
 42 thereof, with the same, shall have the right, by consent of the common
 43 council (subject to existing rights), to erect gas factories, and lay down
 44 pipes in the streets or alleys of any city or village in this State, subject to
 45 such regulations as any such city or village may by ordinance impose.

46 *Fourteenth*—To regulate the use of sidewalks and all structures thereunder;
 47 and to require the owner or occupant of any premises to keep the sidewalks in
 48 front of, or along the same, free from snow and other obstructions.

49 *Fifteenth*—To regulate and prevent the throwing or depositing of ashes, offal,
 50 dirt, garbage, or any offensive matter in, and to prevent injury to any street,
 51 avenue, alley or public ground.

52 *Sixteenth*—To provide for and regulate crosswalks, curbs and gutters.

53 *Seventeenth*—To regulate and prevent the use of streets, sidewalks and
 54 public grounds for signs, sign posts, awnings, awning posts, telegraph poles,
 55 horse troughs, racks, posting hand bills and advertisements.

56 *Eighteenth*—To regulate and prohibit the exhibition or carrying of banners,
 57 playcards, advertisements or hand bills in the streets or public grounds, or
 58 upon the sidewalks.

59 *Nineteenth*—To regulate and prevent the flying of flags, banners or signs
 60 across the streets or from houses.

61 *Twentieth*—To regulate traffic and sales upon the streets, sidewalks and
 62 public places.

63 *Twenty-first*—To regulate the speed of horses and other animals, vehicles,
 64 cars and locomotives within the limits of the corporation.

65 *Twenty-second*—To regulate the numbering of houses and lots.

66 *Twenty-third*—To name and change the name of any street, avenue, alley
 67 or other public place.

68 *Twenty-fourth*—To permit, regulate or prohibit the locating, constructing
 69 or laying a track of any horse railroad in any street, alley or public place;
 70 but such permission shall not be for a longer time than twenty years.

71 *Twenty-fifth*—To provide for and change the location, grade and crossings
 72 of any railroad.

73 *Twenty-sixth*—To require railroad companies to fence their respective rail-
 74 roads, or any portion of the same, and to construct cattle guards, crossings
 75 of streets and public roads, and keep the same in repair, within the limits
 76 of the corporation. In case any railroad company shall fail to comply with
 77 any such ordinance, it shall be liable for all damages the owner of any cattle
 78 or horses or other domestic animal, may sustain by reason of injuries thereto
 79 while on the track of such railroad, in like manner and extent as under

80 the general laws of this State, relative to the fencing of railroads; and actions
 81 to recover such damages as may be instituted before any justice of the peace
 82 or other court of competent jurisdiction.

83 *Twenty-seventh*—To require railroad companies to keep flagman at railroad
 84 crossings of streets, and provide protection against injury to persons and
 85 property in the use of such railroads. To compel such railroads to raise or
 86 lower their railroad tracks to conform to any grade which may, at any time,
 87 be established by such city, and where such tracks run lengthwise of any such
 88 street, alley or highway, to keep their railroad tracks on a level with the street
 89 surface, and so that such tracks may be crossed at any place on such street,
 90 alley or highway. To compel and require railroad companies to make and
 91 keep open and to keep in repair ditches, drains, sewers and culverts along
 92 and under their railroad tracks, so that filthy or stagnant pools of water
 93 cannot stand on their grounds or right of way, and so that the natural
 94 drainage of adjacent property shall not be impeded.

95 *Twenty-eighth*—To construct and keep in repair bridges, viaducts and tunnels,
 96 and to regulate the use thereof.

97 *Twenty-ninth*—To construct and keep in repair culverts, drains, sewers and
 98 cess pools, and to regulate the use thereof.

99 *Thirtieth*—To deepen, widen, dock, cover, wall, alter or change channel of
 100 water courses.

101 *Thirty-first*—To construct and keep in repair canals and slips for the
 102 accommodation of commerce.

103 *Thirty-second*—To erect and keep in repair public landing places, wharves,
 104 docks and levees.

105 *Thirty-third*—To regulate and control the use of public and private landing
 106 places, wharves, docks and levees.

107 *Thirty-fourth*—To control and regulate the anchorage, moorage and land-
 108 ing of all water crafts and their cargoes within the jurisdiction of the
 109 corporation.

110 *Thirty-fifth*—To license, regulate and prohibit wharf-boats, tugs and other
 111 boats used about the harbor, or within such jurisdiction.

112 *Thirty-sixth*—To fix the rate of wharfage and dockage.

113 *Thirty-seventh*—To collect wharfage and dockage from all boats, rafts or
 114 other craft landing at or using any public landing place, wharf, dock or levee
 115 within the limits of the corporation.

116 *Thirty-eighth*—To make regulations in regard to use of harbors, towing of
 117 vessels, opening and passing of bridges.

118 *Thirty-ninth*—To appoint harbor masters and define their duties.

119 *Fortieth*—To provide for the cleansing and purification of waters, water-
 120 courses and canals, and the draining or filling of ponds on private property,
 121 whenever necessary to prevent or abate nuisances.

122 *Forty-first*—To license, tax, regulate, suppress and prohibit hawkers, ped-
 123 dlers, pawnbrokers, keepers, of ordinaries, theatricals and other exhibitions,
 124 shows and amusements, and to revoke such license at pleasure.

125 *Forty-second*—To license, tax and regulate hackmen, draymen, omnibus
 126 drivers, carters, cabmen, porters, expressmen, and all others pursuing like
 127 occupations, and to prescribe their compensation.

128 *Forty-third*—To license, regulate, tax and restrain runners for stages, cars,
 129 public houses, or other things or persons.

130 *Forty-fourth*—To license, regulate, tax or prohibit and suppress billiard,
 131 bagatelle, pigeon-hole or any other tables or implements kept or used for a
 132 similar purpose in any place of public resort, pin alleys and ball alleys.

133 *Forty-fifth*—To suppress bawdy and disorderly houses, houses of ill-fame or
 134 assignation, within the limits of the city, and within three miles of the outer
 135 boundaries of the city; and also to suppress gaming and gambling houses,
 136 lotteries, and all fraudulent devices and practices, for the purpose of gaining or
 137 obtaining money or property; and to prohibit the sale or exhibition of obscene
 138 or immoral publications, prints, pictures or illustrations.

139 *Forty-sixth*—To license, regulate and prohibit the selling or giving away of
 140 any intoxicating, malt, vinous, mixed or fermented liquor, the license not to

141 extend beyond the municipal year in which it shall be granted, and to deter-
 142 mine the amount to be paid for such license: *Provided*, that the city
 143 council in cities, or president and board of trustees in villages, may grant
 144 permits to druggists for the sale of liquors for medicinal, mechanical, sacra-
 145 mental and chemical purposes only, subject to forfeiture, and under such
 146 restrictions and regulations as may be provided by ordinance: *Provided*,
 147 *further*, that in granting licenses, such corporate authorities shall comply
 148 with whatever general law of the State may be in force relative to the
 149 granting of licenses.

150 *Forty-seventh*—The foregoing shall not be construed to affect the provisions
 151 of the charter of any literary institution heretofore granted.

152 *Forty-eighth*—And the city council in cities, and president and board of
 153 trustees in villages, shall also have the power to forbid and punish the
 154 selling or giving away of any intoxicating, malt, vinous, mixed or fermented
 155 liquor to any minor, apprentice or servant or insane, idiotic or distracted
 156 person, habitual drunkard, or person intoxicated.

157 *Forty-ninth*—To establish markets and market houses, and provide for the
 158 regulation and use thereof.

159 *Fiftieth*—To regulate the sale of meats, poultry, fish, butter, cheese, lard
 160 vegetables, and all other provisions, and to provide for place and manner of
 161 selling the same.

162 *Fifty-first*—To prevent and punish forestalling and regrating.

163 *Fifty-second*—To regulate the sale of bread in the village; prescribe the
 164 weight and quality of the bread in the loaf.

165 *Fifty-third*—To provide for and regulate the inspection of meats, poultry,
 166 fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other
 167 provisions.

168 *Fifty-fourth*—To regulate the inspection, weighing and measuring of brick,
 169 lumber, fire-wood, coal, hay, and any article of merchandise.

170 *Fifty-fifth*—To provide for the inspection and sealing of weights and
 171 measures.

- 172 *Fifty-sixth*—To enforce the keeping and use of proper weights and measures
 173 by vendors.
- 174 *Fifty-seventh*—To regulate the construction, repairs and use of vaults, cisterns,
 175 areas, hydrants, pumps, sewers and gutters.
- 176 *Fifty-eighth*—To regulate places of amusement.
- 177 *Fifty-ninth*—To prevent intoxication, fighting, quarreling, dog fights, cock
 178 fights, and all disorderly conduct.
- 179 *Sixtieth*—To regulate partition fences and party walls.
- 180 *Sixty-first*—To prescribe the thickness, strength and manner of constructing
 181 stone, brick and other buildings, and construction of fire escapes therein.
- 182 *Sixty-second*—The city council, and the president and trustees in villages,
 183 for the purpose of guarding against the calamities of fire, shall have power
 184 to prescribe the limits within which wooden buildings shall not be erected
 185 or placed, or repaired, without permission, and to direct that all and any
 186 buildings within fire limits, when the same shall have been damaged by fire,
 187 decay or otherwise, to the extent of fifty per cent. of the value, shall be
 188 torn down or removed, and to prescribe the manner of ascertaining such
 189 damage.
- 190 *Sixty-third*—To prevent the dangerous construction and condition of chim-
 191 neys, fire places, hearths, stoves, stove-pipes, ovens, boilers and apparatus
 192 used in and about any building or manufactory, and to cause the same to be
 193 removed or placed in a safe condition, when considered dangerous; to regu-
 194 late and prevent the carrying on of manufactories, dangerous in causing and
 195 promoting fires; to prevent the deposit of ashes in unsafe places, and to
 196 cause all such buildings and inclosures as may be in a dangerous state to
 197 be put in a safe condition.
- 198 *Sixty-fourth*—To erect engine houses, and provide fire engines, hose carts,
 199 hooks and ladders, and other implements for prevention and extinguishment
 200 of fires, and provide for the use and management of the same by voluntary
 201 fire companies or otherwise.
- 202 *Sixty-fifth*—To regulate and prevent storage of gunpowder, tar, pitch, resin,

203 coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of
 204 the products thereof and other combustible or explosive material, and the use of
 205 lights in stables, shops and other places, and the building of bonfires; also to regu-
 206 late and restrain the use of fire works, fire-crackers, torpedoes, Roman can-
 207 dles, sky-rockets and other pyrotechnic displays.

208 *Sixty-sixth*—To regulate the police of the city or village, and pass and
 209 enforce all necessary police ordinances.

210 *Sixty-seventh*—To provide for the inspection of steam boilers.

211 *Sixty-eighth*—To prescribe the duties and powers of a superintendent of
 212 police, policemen and watchmen.

213 *Sixty-ninth*—To establish and erect calaboses, bridewells, houses of cor-
 214 rection and workhouses, for the reformation and confinement of vagrants,
 215 idle and disorderly persons, and persons convicted of violating any city or
 216 village ordinance, and make rules and regulations for the government of the
 217 same, and appoint necessary keepers and assistants.

218 *Seventieth*—To use the county jail for the confinement or punishment of
 219 offenders, subject to such conditions as are imposed by law, and with the
 220 consent of the county board.

221 *Seventy-first*—To provide by ordinance in regard to the relation between all
 222 the officers and employes of the corporation, in respect to each other, the
 223 corporation and the people.

224 *Seventy-second*—To prevent and suppress riots, routs, affrays, noises, dis-
 225 turbances, disorderly assemblies in any public or private place.

226 *Seventy-third*—To prohibit and punish cruelty to animals.

227 *Seventy-fourth*—To restrain and punish vagrants, mendicants and prostitutes.

228 *Seventy-fifth*—To declare what shall be a nuisance, and to abate the same;
 229 and to impose fines upon parties who may create, continue or suffer nuisances
 230 to exist.

231 *Seventy-sixth*—To appoint a board of health, and prescribe its powers and
 232 duties.

233 *Seventy-seventh*—To erect and establish hospitals and medical dispensaries.
 234 and control and regulate the same.

235 *Seventy-eighth*—To do all acts, make all regulations which may be necessary
 236 or expedient for the promotion of health or the suppression of disease.

237 *Seventy-ninth*—To establish and regulate cemeteries, within or without
 238 the corporation, and acquire lands therefor, by purchase or otherwise, and
 239 cause cemeteries to be removed, and prohibit their establishment within
 240 one mile of the corporation.

241 *Eightieth*—To regulate, restrain and prohibit the running at large of
 242 horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax
 243 on dogs.

244 *Eighty-first*—To direct the location and regulate the management and
 245 construction of packing houses, renderies, tallow chandleries, bone factories,
 246 soap factories and tanneries, within the limits of the city or village, and
 247 within the distance of one mile without the city or village limits.

248 *Eighty-second*—To direct the location and regulate the use and construction
 249 of brewries, distilleries, livery stables, blacksmith shops and foundrys
 250 within the limits of the city or village.

251 *Eighty-third*—To prohibit any offensive or unwholesome business or
 252 establishment within one mile of the limits of the corporation.

253 *Eighty-fourth*—To compel the owner of any grocery, cellar, soap or
 254 tallow chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome
 255 or nauseous house or place, to cleanse, abate or remove the same, and
 256 to regulate the location thereof.

257 *Eighty-fifth*—The city council or trustees of a village, shall have power
 258 to provide for the taking of the city or village census; but no city or
 259 village census shall be taken by authority of the council or trustees oftener
 260 than once in three years.

261 *Eighty-sixth*—To provide for the erection and care of all public buildings
 262 necessary for the use of the city or village.

263 *Eighty-seventh*—To establish ferries, toll bridges, and license and regulate
 264 the same, and from time to time fix tolls thereon.

265 *Eighty-eighth*—To authorize the construction of mills, mill-races and feeders
 266 on, through or across the streets of the city or villages, at such places and
 267 under such restrictions as they shall deem proper.

268 *Eighty-ninth*—The city council shall have power, by condemnation or
 269 otherwise, to extend any street, alley or highway over or across, or to
 270 construct any sewer under or through any railroad track, right of way, or
 271 land of any railroad company (within the corporate limits); but where no
 272 compensation is made to such railroad company, the city shall restore
 273 such railroad track, right of way or land to its former state, or in a sufficient
 274 manner not to have impaired its usefulness.

275 *Nentieth*—The city council or board of trustees shall have no power to
 276 grant the use of or the right to lay down any railroad tracks in any
 277 street of the city to any steam, dummy, electric, cable, horse or other
 278 railroad company, whether the same shall be incorporated under any
 279 general or special law of the State, now or hereafter in force, except upon
 280 the petition of the owners of the land representing more than one-half
 281 of the frontage of the street, or so much thereof as is sought to be used
 282 for railroad purposes, and when the street or part thereof sought to be
 283 used shall be more than one mile in extent, no petition of land owners
 284 shall be valid unless the same shall be signed by the owners of the land
 285 representing more than one-half of the frontage of each mile and of the
 286 fraction of a mile if any in excess of the whole miles measuring from the
 287 initial point named in such petition, of such street or of the part thereof
 288 sought to be used for railroad purposes.

289 *Ninety-first*—To tax, license and regulate auctioneers, distillers, brewers,
 290 lumber yards, livery stables, public scales, money changers and brokers.

291 *Ninety-second*—To prevent and regulate the rolling of hoops, playing of
 292 ball, flying of kites, or any other amusement or practice having a tendency
 293 to annoy persons passing in the streets or on the sidewalks, or to frighten
 294 teams and horses.

295 *Ninety-third*—To regulate and prohibit the keeping of any lumber yard,
 296 and the placing, or piling, or selling any lumber, timber, wood or other
 297 combustible material, within the fire limits of the city.

308 *Ninety-fourth*—To provide by ordinance, that all the paper, printing,
 309 stationery, blanks, fuel, and all the supplies needed for the use of the city,
 300 shall be furnished by contract let to the lowest bidder.

301 *Ninety-fifth*—To tax, license and regulate second-hand and junk stores,
 302 and to forbid their purchasing or receiving from miners, without the written
 303 consent of their parents or guardians, any article whatsoever.

304 *Ninety-sixth*—To pass all ordinances, rules, and make all regulations,
 305 proper or necessary, to carry into effect the powers granted to cities or
 306 villages, with such fines or penalties as the city council or board of trustees
 307 shall deem proper: *Provided*, no fine or penalty shall exceed \$200.00 and
 308 no imprisonment shall exceed six months for one offense.

§ 2. Whereas, some question exists as to the necessity of a petition
 2 signed by the property owners to authorize the granting to companies
 3 organized under what is known as the Horse and Dummy Act, the right to
 4 use streets; therefore, an emergency exists and this act shall take effect
 5 and be in force from and after its passage.

1. Introduced by Mr. Seiter, February 23, 1887, and ordered to first reading.
2. First reading February 23, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to sheriffs," approved January 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That "An act to revise the law in relation to
3 sheriffs," approved January 27, 1874, in force July 1, 1874, be and the same
4 is hereby amended by adding thereto the following sections:

5 "Section 28. That hereafter no person or persons shall be appointed a
6 deputy sheriff or special deputy under the provisions of this act, who is not
7 a citizen of the State of Illinois, and a qualified voter of the county in
8 which such appointment shall be made.

9 "Section 29. No person shall be appointed a deputy sheriff or special
10 deputy by any sheriff in this State who is in the employ of any detective
11 or detective agency, or who shall have been in any such employ within six
12 months preceding such appointment.

13 "Section 30. Any sheriff now holding office in this State, or who shall
14 hereafter be elected to such office of sheriff and qualify and perform the
15 duties as such officer who shall violate the provisions of this act shall be
16 deemed guilty of a misdemeanor, and for each offense, upon conviction,
17 shall be punished therefor by imprisonment in the county jail for a period
18 of not less than three months, nor more than one year, or by a fine

19 not less than one hundred dollars nor more than five hundred dollars, in
20 the discretion of the court.

21 "Section 31. Any person or persons who shall apply for or accept the
22 appointment of deputy sheriff or special officer in violation of the provisions
23 of this act shall be deemed guilty of a misdemeanor and upon conviction
24 shall be punished by imprisonment in the county jail for a period of not less
25 than three months nor more than one year, or by a fine of not less than one
26 hundred dollars nor more than five hundred dollars, in the discretion of
27 the court."

AMENDMENTS TO SENATE BILL NO. 274.

Amend by striking out all below the enacting clause, and inserting in lieu
2 thereof the following:

3 "Section 28. That hereafter no person shall be appointed a deputy sheriff
4 or special deputy under the provisions of this act, who is not a citizen of
5 the State of Illinois and a qualified voter of the county in which such
6 appointment shall be made, or who is in the employ of any detective or
7 detective agency, or who shall have been in such employ within thirty days
8 preceding such appointment: *Provided*, that any person may be appointed
9 as deputy sheriff or special deputy to pursue criminals who are fugitives from
10 justice.

11 "Section 29. Any sheriff now holding office in this State, or who shall
12 hereafter be elected to such office of sheriff and qualify and perform the
13 duties as such officer, or any person or persons who shall apply for or
14 accept the appointment of deputy sheriff or special deputy, who shall know-
15 ingly violate any of the provisions of this act, shall be deemed guilty of a
16 misdemeanor, and upon conviction shall be punished by imprisonment in the
17 county jail for a period of not less than three months nor more than one
18 year, or by a fine of not less than one hundred dollars nor more than five
19 hundred dollars, in the discretion of the court."

1. Introduced by Mr. Seiter. February 23, 1887, and ordered to first reading.
1. First reading February 23, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 27, 1887, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to sheriffs," approved January 27, 1874, in force July 1, 1874, by adding thereto the following sections:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.*

- 3 "Section 28. That hereafter no person shall be appointed a deputy sheriff
4 or special deputy under the provisions of this act, who is not a citizen of
5 the State of Illinois and a qualified voter of the county in which such
6 appointment shall be made, or who is in the employ of any detective or
7 detective agency, or who shall have been in such employ within thirty days
8 preceding such appointment. *Provided*, that any person may be appointed as
9 deputy sheriff or special deputy to pursue criminals who are fugitives from justice.
- 10 "Section 29. Any sheriff now holding office in this State, or who shall
11 hereafter be elected to such office of sheriff and qualify and perform the
12 duties as such officer, or any person or persons who shall apply for or
13 accept the appointment of deputy sheriff or special deputy, who shall know-
14 ingly violate any of the provisions of this act, shall be deemed guilty of a
15 misdemeanor, and upon conviction shall be punished by imprisonment in the
16 county jail for a period of not less than three months nor more than one
17 year, or by a fine of not less than one hundred dollars nor more than five
18 hundred dollars, in the discretion of the court."



1. Introduced by Mr. Higgins, February 23, 1887, and ordered to first reading.
2. First reading February 23, 1887, and referred to Committee on Judicial Department.
3. Reported back February 25, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 35 of an act entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 35 of an act entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874, be, and the same is hereby amended so as to read as follows:

"Section 35. In all cases where the public authorities having charge of any street over which there shall be a railroad crossing, shall notify any agent of the corporation owning, using or operating such railroad that such crossing is unsafe and that a flagman is necessary at such crossing. It shall be the duty of such railroad company within sixty days thereafter to place and retain a flagman at such crossing, and to provide good and sufficient lights, and so place them that persons approaching such crossing can have a clear view of any trains or locomotive engine thereon, and the flagman on duty at such crossings is hereby empowered to stop any and all persons from crossing a railroad track when in his opinion there is danger from approaching trains or locomotive engine, and any railroad company refusing or neglecting to place flagmen and lights at such dangerous crossings as required by this section shall be liable to a fine of \$50 per day for every day they shall neglect or refuse to do so. And it is hereby made the duty of such public authorities having

19 charge of such streets to enforce the payment of such fine, by suit in the
20 name of the town or municipal corporation wherein such crossing shall be
21 situate, before any court of competent jurisdiction in the county, and the
22 prosecuting attorney shall attend to the prosecution of all suits as directed
23 by such public authorities. All moneys collected under the provisions of this
24 act shall be paid into the treasury of the town or municipal corporation in
25 whose name such suits shall have been brought: *Provided*, that when any
26 railroad company is required to keep a flagman at a crossing, it shall have
27 the right to erect and maintain in the highway or street crossed a suitable
28 house for the shelter of such flagman, the same to be so located as to cause
29 the least obstruction to the use of such streets or highway and afford the
30 best view of the railroad track in each direction from such crossing.

1. Introduced by Mr. Seiter, February 23, 1887, and ordered to first reading.
1. First reading February 23, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 27, 1887, amended and ordered to third reading.

•

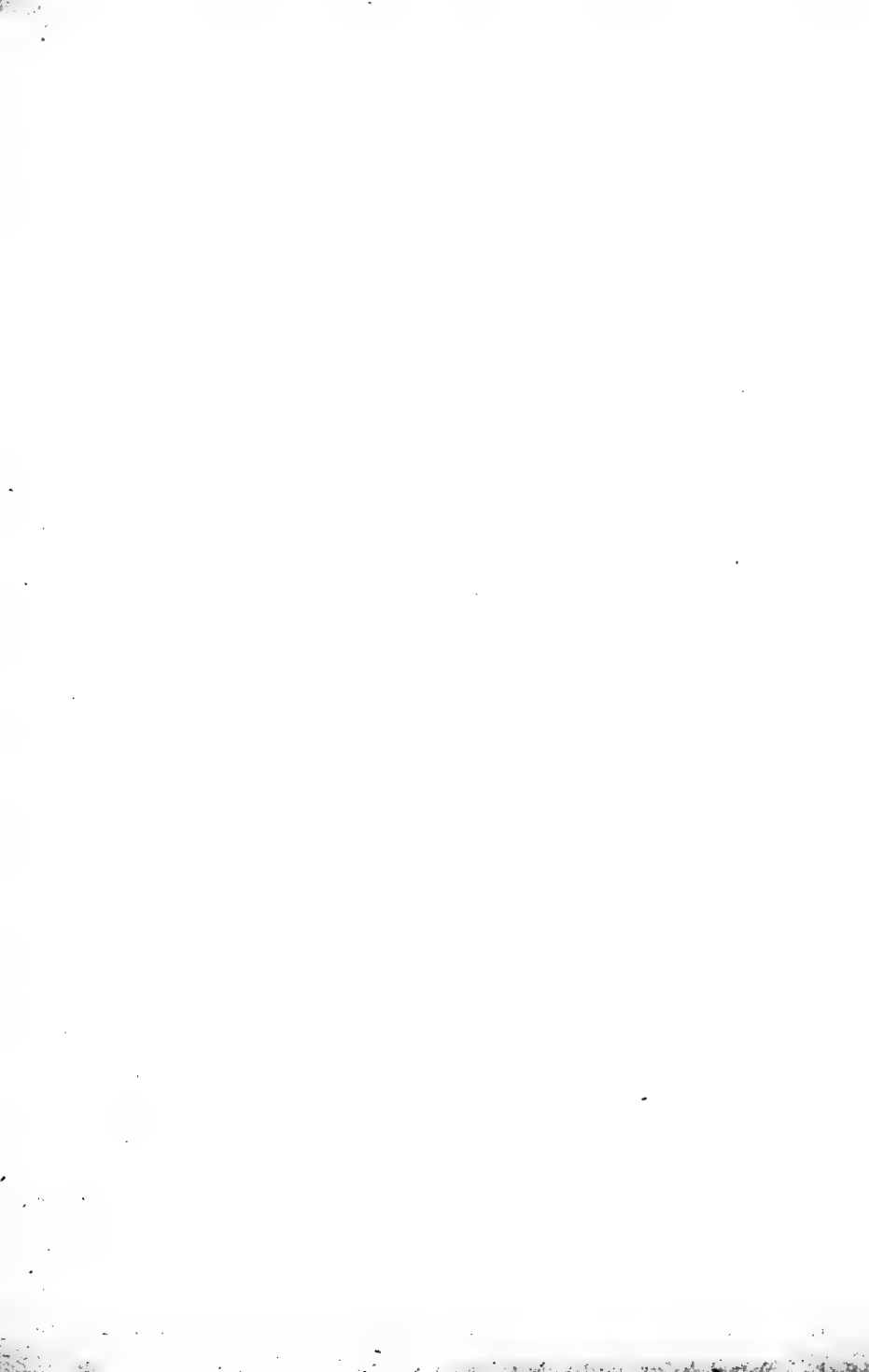
A BILL

For An Act to amend an act entitled "An act to revise the law in relation to sheriffs," approved January 27, 1874, in force July 1, 1874, by adding thereto the following sections:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.*

3 "Section 28. That hereafter no person shall be appointed a deputy sheriff
4 or special deputy under the provisions of this act, who is not a citizen of
5 the State of Illinois and a qualified voter of the county in which such
6 appointment shall be made, or who is in the employ of any detective or
7 detective agency, or who shall have been in such employ within thirty days
8 preceding such appointment. *Provided*, that any person may be appointed as
9 deputy sheriff or special deputy to pursue criminals who are fugitives from justice.

10 "Section 29. Any sheriff now holding office in this State, or who shall
11 hereafter be elected to such office of sheriff and qualify and perform the
12 duties as such officer, or any person or persons who shall apply for or
13 accept the appointment of deputy sheriff or special deputy, who shall know-
14 ingly violate any of the provisions of this act, shall be deemed guilty of a
15 misdemeanor, and upon conviction shall be punished by imprisonment in the
16 county jail for a period of not less than three months nor more than one
17 year, or by a fine of not less than one hundred dollars nor more than five
18 hundred dollars, in the discretion of the court."



1. Introduced by Mr. Seiter, February 23, 1887, and ordered to first reading.
1. First reading February 23, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 27, 1887, amended and ordered to third reading.

•

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to sheriffs," approved January 27, 1874, in force July 1, 1874, by adding thereto the following sections:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.*

3 "Section 28. That hereafter no person shall be appointed a deputy sheriff
4 or special deputy under the provisions of this act, who is not a citizen of
5 the State of Illinois and a qualified voter of the county in which such
6 appointment shall be made, or who is in the employ of any detective or
7 detective agency, or who shall have been in such employ within thirty days
8 preceding such appointment. *Provided*, that any person may be appointed as
9 deputy sheriff or special deputy to pursue criminals who are fugitives from justice.

10 "Section 29. Any sheriff now holding office in this State, or who shall
11 hereafter be elected to such office of sheriff and qualify and perform the
12 duties as such officer, or any person or persons who shall apply for or
13 accept the appointment of deputy sheriff or special deputy, who shall know-
14 ingly violate any of the provisions of this act, shall be deemed guilty of a
15 misdemeanor, and upon conviction shall be punished by imprisonment in the
16 county jail for a period of not less than three months nor more than one
17 year, or by a fine of not less than one hundred dollars nor more than five
18 hundred dollars, in the discretion of the court."



- 1 Introduced by Mr. Higgins, February 23, 1887, and ordered to first reading.
- 2 First reading February 23, 1887, and referred to Committee on Judicial Department.
- 3 Reported back February 25, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 35 of an act entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* section 35 of an act entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874, be, and the same is hereby amended so as to read as follows:

"Section 35. In all cases where the public authorities having charge of any street over which there shall be a railroad crossing, shall notify any agent of the corporation owning, using or operating such railroad that such crossing is unsafe and that a flagman is necessary at such crossing. It shall be the duty of such railroad company within sixty days thereafter to place and retain a flagman at such crossing, and to provide good and sufficient lights, and so place them that persons approaching such crossing can have a clear view of any trains or locomotive engine thereon, and the flagman on duty at such crossings is hereby empowered to stop any and all persons from crossing a railroad track when in his opinion there is danger from approaching trains or locomotive engine, and any railroad company refusing or neglecting to place flagmen and lights at such dangerous crossings as required by this section shall be liable to a fine of \$50 per day for every day they shall neglect or refuse to do so. And it is hereby made the duty of such public authorities having

20 name of the town or municipal corporation wherein such crossing shall be
21 situate, before any court of competent jurisdiction in the county, and the
22 prosecuting attorney shall attend to the prosecution of all suits as directed
23 by such public authorities. All moneys collected under the provisions of this
24 act shall be paid into the treasury of the town or municipal corporation in
25 whose name such suits shall have been brought: *Provided*, that when any
26 railroad company is required to keep a flagman at a crossing, it shall have
27 the right to erect and maintain in the highway or street crossed a suitable
28 house for the shelter of such flagman, the same to be so located as to cause
29 the least obstruction to the use of such streets or highway and afford the
30 best view of the railroad track in each direction from such crossing."

1. Introduced by Mr. Higgins, February 23, 1887, and ordered to first reading.
 2. First reading February 23, 1887, and referred to Committee on Judicial Department.
 3. Reported back February 25, passage recommended, and ordered to second reading.
 4. Second reading March 23, 1887, amended and ordered to third reading.
-

A BILL

For An Act to amend section 35 of an act, entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 35 of an act, entitled "An act in re-
3 lation to fencing and operating railroads," approved March 31, 1874, in
4 force July 1, 1874, be, and the same is hereby amended so as to read as
5 follows:

6 "Section 35. In all cases where the public authorities having charge of
7 any street over which there shall be a railroad crossing, shall notify any
8 agent of the corporation owning, using or operating such railroad that such
9 crossing is unsafe and that a flagman is necessary at such crossing, it
10 shall be the duty of such railroad company, within sixty days thereafter,
11 to place and retain a flagman at such crossing, and to provide good and
12 sufficient lights, and so place them that persons approaching such crossing
13 can have a clear view of any trains or locomotive engine thereon. And
14 when the city council of any city shall notify any such agent that safety
15 gates, and a gateman to operate the same, are necessary at any such cross-
16 ings, it shall be the duty of such railroad company, within sixty days there-
17 after, to place, and thereafter maintain, at such crossing safety gates of

18 the best improved kind, together with a gateman who shall operate such
19 gates in such a manner as to protect all persons and property from danger,
20 or injury, and the flagman or gateman, on duty at such crossings is hereby
21 empowered to stop any and all persons from crossing a railroad track when
22 in his opinion there is danger from approaching trains or locomotive en-
23 gine; and any railroad company, refusing or neglecting to place flagmen
24 and lights or gatemen and gates at such dangerous crossings as required
25 by this section, shall be liable to a fine of \$50 per day for every day they
26 shall neglect or refuse to do so. And it is hereby made the duty of such
27 public authorities having charge of such streets to enforce the payment of
28 such fine, by suit in the name of the town or municipal corporation
29 wherein such crossing shall be situated, before any court of competent juris-
30 diction in the county, and the prosecuting attorney shall attend to the
31 prosecution of all suits as directed by such public authorities. All moneys
32 collected under the provisions of this act shall be paid into the treasury
33 of the town or municipal corporation in whose name such suits shall have
34 been brought: *Provided*, that when any railroad company is required to
35 keep a flagman or gateman at a crossing it shall have the right to erect
36 and maintain in the highway or street crossed a suitable house for the
37 shelter of such flagman or gateman, the same to be so located as to cause
38 the least obstruction to the use of such streets or highway and afford the
39 best view of the railroad track in each direction from such crossing."

(Substitute for Senate Bill No. 14.)

1. Introduced by Committee on Mines and Mining, February 24, 1887, and ordered to first reading.
2. First reading February 24, 1887, and ordered to second reading.

A BILL

For An Act to provide for the semi-monthly payment of employees, and to prevent deductions therefrom.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That every manufacturing, mining, or quarrying, mercantile, railroad, street railway, telegraph, telephone, municipal corporation, and every incorporated express company and water company, or any person or persons in this State, employing more than ten persons, shall pay semi-monthly each and every employe engaged in its business the wages earned by such employe, to within one week of the date of said payment: Provided, however, that if at any time any employe shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter upon demand.*

§ 2. *It shall be unlawful for any manufacturing, mining or quarrying, mercantile, railroad, street railway, telegraph, telephone or municipal corporation, and every incorporated express company and water company, or any person or persons in this State, employing more than ten persons, to make deductions from the wages of their employes, except for lawful money actually advanced, or for written orders of their employes accepted by said employers: Provided, that this section shall not apply to assessments made for maintaining*

§ 3. Any person, firm or corporation violating this act or any of its provisions, whether as principal, agent or clerk, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each and every offense.

1. Introduced by Mr. Burke, February 24, 1887, and ordered to first reading.
2. First reading February 24, 1887, and referred to Committee on Labor and Manufactures.
3. Reported back June 1, 1887, with recommendation that it be printed and ordered to second reading.

A BILL

For An Act in relation to arbitration between employers and employees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That in all cases where there is any difference
3 or dispute between an employer and his employees in relation to any mat-
4 ter growing out of, or connected with such employment, either party may
5 appoint an arbitrator and notify the other party in writing of such selection,
6 and the other party shall within two days thereafter select an arbitrator,
7 and in case of failure on the part of such party to select such arbitrator
8 within said two days, then, on application to any judge of any court of
9 record in the same county by the party who has appointed an arbitrator,
10 and on proof of such failure by the other party, the said judge shall
11 appoint such arbitrator, and as soon as the two arbitrators are appointed
12 they shall appoint a third, and the three shall constitute a board of arbi-
13 tration, and in case the two first appointed shall be unable to agree on
14 a third, then application shall be made to a judge of a court of record for the
15 appointment of a third; but in no case shall the same judge appoint two
16 members of the same board; and in case of a strike, when neither
17 employer nor employees take steps to secure arbitration within four days
18 after the beginning of such strike, then any three citizens of the county
19 wherein such strike exists may apply to any judge of a court of record in

20 said county, on first giving two days' notice to such employer and
21 employees, and such judge shall thereupon appoint two arbitrators; and the
22 two thus appointed shall choose a third: *Provided*, that if at the time
23 application is made to such judge for the appointment of arbitrators either
24 employer or employees shall appear and desire to appoint his or their own
25 arbitrators, he or they shall be permitted to then and there do so. This
26 section shall apply to cases where the employees, or any considerable num-
27 ber of them, in excess of fifteen, have been discharged, if the employer is
28 about to fill their places with others. A majority of said board shall con-
29 stitute a quorum, and their decision shall be binding upon all parties
30 concerned.

§ 2. The notice required to be given by the foregoing section shall,
2 when given to the employees, be served as follows: If the employees have
3 an organization, which with their consent acts in the premises, then by
4 leaving a copy with the president and also with the secretary of such
5 organization, or at their usual place of abode. If the employees have no
6 such organization, but have appointed a committee to represent them, then
7 by leaving a copy with at least three members of such committee, or at
8 their usual place of abode. If the employees have neither such organization
9 nor committee, then a copy shall be given to or left at the usual place
10 of abode of at least one-fourth of the employees, if there are less than
11 forty, and one additional notice for every twenty-five men over forty, to
12 be served on some employee as above provided. And where notice is to be
13 given by employees to employer, as above provided, it shall be signed by
14 the like parties or proportion of employees as above provided for serving
15 notice on: *Provided*, that when proceedings have once begun, and either
16 party has appointed or appeared by an agent or attorney, notice signed by
17 or served on such agent or attorney shall be sufficient. Notice may be
18 served on the employer by leaving a copy with him or at his office or place
19 of business, or at his residence.

§ 3. Appointment of arbitrators may be in the following form:

BY EMPLOYER.

2 Be it known that..... is hereby appointed arbitrator for the
3 undersigned, under the laws of Illinois, to inquire into the matter in dispute
4 between the undersigned and the employes of the undersigned, now or formerly
5 working at (state kind of work) particularly as it relates to.....
6 (state subject of dispute.)

7 Signed.....

BY EMPLOYEES.

8 Be it known that..... is hereby appointed arbi-
9 trator, under the laws of Illinois, to act for the undersigned, representing
10
11 in a dispute with (state employer's name) in relation
12 to..... (state subject of dispute.)

13 Signed.....

14
15
16
17 Such appointment by the employees may be signed by the same officials,
18 committee, or proportion of employees' named in section 2, as the persons on
19 whom notice should be served on the part of the employees. The appointment
20 of the third arbitrator may be as follows:

21 We, the undersigned arbitrators, appointed to inquire into the matters in
22 dispute between..... (employer).....
23 and..... (employee or former employee)..... in relation to
24 (state subject matter in dispute)..... do hereby appoint
25 as a third arbitrator to act with us.

26 Signed.....

27
§ 4. Each of said arbitrators, before entering on his duties, shall take the
2 following oath, before a justice of the peace, or any officer authorized by law

3 to administer oaths: "I,.....do solemnly swear
4 that I am a citizen of the United States, and of the State of Illinois; that I
5 will support the constitution of the United States, and the Constitution of
6 the State of Illinois; that I have no personal interest in the controversy
7 between.....employer and his employe, in which
8 I have been selected to act as arbitrator; that I have no prejudices against
9 either party in the case, and have no prejudices against either employers or
10 employes as a class; that I know of no reason why I should not act as arbi-
11 trator; that I believe I can give the whole matter a fair and impartial exam-
12 ination and hearing, and that I will as such arbitrator, act, examine and decide
13 fairly, impartially, and to the best of my ability.

14

15 Subscribed and sworn to &c."

§ 5. Said arbitrators, or a majority of them, as soon as they have thus
2 qualified, shall proceed without delay, and without pleading, to inquire into
3 the subject matter of the dispute, each shall have power to administer oaths,
4 and a majority of them shall have power to send for such persons, books and
5 papers, as in their judgment it may be necessary to examine to fully under-
6 stand the matters which they are to investigate. They may hold their meet-
7 ings as in their judgment will be most convenient for all concerned, may go
8 upon the premises of the employer, and examine machinery, buildings, the
9 sanitary condition, and any other matter or thing concerning which there
10 is any dispute between said employer and his employes. Said board shall
11 prosecute its investigations, and conduct its business without delay, and shall,
12 as soon as possible after the hearing, render its decision of all matters in dis-
13 pute, and the decision of a majority shall be considered the decision of the
14 board. Said decision shall be in writing, and shall state fully the findings
15 and judgment of the board, and a copy of such decision shall be furnished
16 the employer, and one copy shall be furnished the employes, and one copy
17 shall be returned by said board to the circuit clerk as hereinafter provided.
18 If at any time during the investigation, either party shall ask for a consulta-
19 tion, with a view to compromising, the board shall at once notify the other

20 party, and arrange a meeting, and shall use its best endeavors to bring about
21 a compromise or agreement; and in case such agreement is effected, the board
22 shall reduce the same to writing, and shall give and return copies as in case
23 of a decision.

§ 6. If at any time an employer shall state to the board that he would be
2 injured by having publicity given to any matters which the board may deem
3 it necessary to inquire into, then the board shall conduct the inquiry as to
4 such matters, secretly, permitting no person to be present, except such as the
5 board may find it necessary to call in, to explain things, or assist, in order
6 to fully ascertain the truth, but the person so called in shall be sworn to
7 secrecy, and if such person, or any member of the board, shall divulge any
8 such secret, he shall be deemed guilty of a misdemeanor; but the board, in
9 making its decision, shall consider the information thus obtained, although
10 it shall not give publicity to such information.

§ 7. The arbitrators having first given a copy of their decision to both
2 employer and employes, shall return their appointment, their oath, and a copy
3 of their decision, signed by them, to the clerk of the circuit court, who shall
4 file and preserve the same, and shall spread the decision on the judgment
5 records, for which latter service he shall be paid the fee allowed by law for
6 recording, and no other fee shall be charged by him. Said decision shall,
7 from the time it is so filed, without further notice, operate as an injunction
8 and restraining order, for one year, on both employer, his agents and foreman,
9 and employes, as follows: The employer shall stand enjoined from employing
10 any other men, until he has first given all of those who were employes at
11 the beginning of the trouble, an opportunity to resume work, in accordance
12 with or on the terms and conditions named in the decision of the arbitrators;
13 but he need not wait longer than two full days after a copy of the decision
14 has been given to both employer and employes, for such old employes to
15 present themselves to go to work. After said two days he can employ whom
16 he pleases, but shall not discharge any of the old employes who did return
17 in said two days, except as follows: By giving them two weeks notice in

18 advance he may discharge not to exceed one tenth of his employes working
19 in the same line, in any one month, and fill their places with new employes;
20 *provided, however*, that if he shall not start, or give the former employes an
21 opportunity to resume work within said two days, and should desire to start
22 thereafter, then before employing any other persons to work in the same line,
23 he shall give said former employes an opportunity to return to work on the
24 terms and conditions specified in such decision, and for this purpose shall give
25 ten days notice as follows: He shall post five written notices in public places
26 in the neighborhood of his factory or establishment where the men are to go
27 to work, and shall leave a written notice with one tenth of the said former
28 employes. Every violation of this act shall be deemed a violation of said in-
29 junction, and shall be punishable accordingly; and shall also be and constitute
30 a misdemeanor and be punishable under the criminal code.

EMPLOYEES.

31 The said former employes shall stand and be enjoined from interfering with,
32 loitering around or going upon the property or premises of the employer, ex-
33 cept on business; and all such employes as shall refuse to accept the decision
34 of said arbitrators, and to return to work in pursuance thereof, shall stand
35 enjoined from persuading, intimidating, annoying, molesting or interfering
36 with any person or persons who may go to work or be employed to work in
37 pursuance of such decision. Any violation of these provisions shall be a vio-
38 lation of such injunction and be punishable accordingly, and shall be a mis-
39 demeanor and be punishable under the criminal code.

§ 8. Said arbitrators shall each be paid two dollars and fifty cents per day,
2 in manner following: When returning their decision to the circuit clerk they
3 shall file an affidavit as to the number of days they have necessarily spent as
4 such arbitrators, and said clerk shall thereupon issue to each, an order on
5 the county treasurer in the manner that orders are issued to jurors, and such
6 orders shall be paid out of the county treasury in the same manner as jurors
7 are paid.

1. Introduced by Mr. Cochran, February 24, 1887, and ordered to first reading.
2. First reading February 24, 1887, and referred to Committee on Railroads.
3. Reported back March 18, 1887, passage recommended, and ordered to second reading.

A BILL

To authorize Railway Corporations to lay out and build branch railroads and extensions and to alter their routes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*

2 *in the General Assembly.* Any railway corporation may extend its road
3 from any point named in its charter, articles of incorporation or articles
4 of consolidation, or may build branch roads either from any point on its
5 line or from any point upon the line of any other railroad connecting or to
6 be connected with its line of road, the use of which other roads
7 between such point and the connection with its own road such corporation
8 shall have secured by leave or agreement for a term of not less than ten
9 years from its date. Before making such extension or building any such
10 branch road such corporation shall, by resolution of its directors, to be
11 entered in the record of its proceedings, designate in general terms the
12 route of such proposed extension or branch road, and file a copy of such
13 record, certified by the president and secretary, in the office of Secretary
14 of State, and cause the same to be recorded therein. Thereupon such
15 corporation shall have all the rights and privileges to make such extension
16 or build such branch road which it would have had if it had been
17 authorized so to do in its charter or articles of incorporation. But this
18 section shall not be construed as authorizing railway corporations to con-
19 solidate with each other.

1. Introduced by Mr. Cochran, February 24, 1887, and ordered to first reading.
2. First reading February 24, 1887, and referred to Committee on Railroads.
3. Reported back March 18, 1887, passage recommended, and ordered to second reading.

A BILL

To authorize Railway Corporations to lay out and build branch railroads and extensions and to alter their routes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* Any railway corporation may extend its road
3 from any point named in its charter, articles of incorporation or articles
4 of consolidation, or may build branch roads either from any point on its
5 line or from any point upon the line of any other railroad connecting or to
6 be connected with its line of road, the use of which other roads
7 between such point and the connection with its own road such corporation
8 shall have secured by lease or agreement for a term of not less than ten
9 years from its date. Before making such extension or building any such
10 branch road such corporation shall, by resolution of its directors, to be
11 entered in the record of its proceedings, designate in general terms the
12 route of such proposed extension or branch road, and file a copy of such
13 record, certified by the president and secretary, in the office of Secretary
14 of State, and cause the same to be recorded therein. Thereupon such
15 corporation shall have all the rights and privileges to make such extension
16 or build such branch road which it would have had if it had been
17 authorized so to do in its charter or articles of incorporation. But this
18 section shall not be construed as authorizing railway corporations to con-
19 solidate with each other.

Substitute for Senate Bill No. 66.

1. Introduced by Judiciary Committee, February 25, 1887, and ordered to first reading.
2. First reading February 25, 1887, ordered to be printed and to second reading.

A BILL

For An Act to indemnify the owners of property for damages occasioned by
Mobs and Riots.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That whenever any building or other real or
3 personal property, except property in transit, shall be destroyed or injured
4 in consequence of any mob or riot composed of twelve or more persons,
5 the city, incorporated town or incorporated village in which such property
6 was destroyed, shall be liable to an action by or in behalf of the party
7 whose property was thus destroyed or injured, for three-fourths of the
8 damages sustained by reason thereof.

2. Such action may be brought in the form of an action on the case,
2 or other appropriate action, and whenever any final judgment shall be
3 secured against any such city, incorporated town or incorporated village, in
4 any such action, the same shall be paid in due course as in case of other
5 judgments.

3. No person or corporation shall be entitled to recover in any such
2 action if it shall appear on the trial thereof, that such destruction or
3 injury of property was occasioned, or in any way aided, sanctioned or per-
4 mitted by the carelessness, neglect or wrongful act of such person or
5 corporation; nor shall any person or corporation be entitled to recover any

6 damages for any destruction or injury of property as aforesaid, unless such
7 party shall have used all reasonable diligence to prevent such damage.

§ 4. Nothing in this act shall be construed to prevent any person or
2 corporation whose property has been injured or destroyed in consequence
3 of any mob or riot, from having or maintaining an action, or actions,
4 against any person or persons, engaged or in any manner participating in
5 such mob or riot, for the recovery of the damages sustained thereby. *Provided,*
6 that when such city, incorporated town, or incorporated village, shall have
7 paid any part of such damage, such city, incorporated town or incorporated
8 village making such payment shall have a lien to the amount so paid
9 upon any judgment or claim, against any person or persons engaged in, or
10 in any manner participating in such mob or riot, together with the right
11 and power to enforce and collect such judgment or claim, and when such
12 city, incorporated town, or incorporated village shall have been reimbursed
13 the money so paid by it, such portion of such judgment or judgments, or
14 claim or claims remaining unpaid shall then revert to, and become the
15 property of the original owner thereof, and such owner shall have the
16 right to enforce and collect the same.

§ 5. It shall be lawful for the city, incorporated town or incorporated
2 village against which a judgment or judgments, for damages shall be
3 recovered under the provisions of this act, to bring an action, or actions
4 against any person or persons engaged or in any manner participating in
5 said mob or riot, for the recovery of the amount of said judgment or
6 judgments and costs, and such action shall not abate or fail by reason of
7 too many or too few parties defendant being named therein; the same
8 shall, to all intents and purposes be treated as an action of trespass
9 brought by the owners of such property, except that the statute of limita-
10 tions as to such action shall not begin to run against said city,
11 incorporated town or incorporated village until its liability is fixed by
12 judgment as hereinbefore provided.

§ 6. No action shall be maintained under the provisions of this act by
2 any person or corporation whose property shall have been destroyed or

3 injured as aforesaid, unless the same shall be brought within twelve
4 months after such destruction or injury occurs, but nothing in this act
5 shall be construed as authorizing any recovery by the United States, the
6 State of Illinois, or any county, for the destruction of, or injury to prop-
7 erty by mobs or riots.

(Substitute for Senate Bill No. 66.)

1. Introduced by Judiciary Committee, February 25, 1887, and ordered to first reading.
2. First reading February 25, 1887, ordered to be printed and to second reading.
3. Second reading March 16, 1887, amended and ordered to third reading.

A BILL.

For An Act to indemnify the owners of property for damages occasioned by Mobs
and Riots

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any building or other real or personal property, except property in transit, shall be destroyed or injured in consequence of any mob or riot composed of twelve or more persons, the city, or if not in a city then the county in which such property was destroyed, shall be liable to an action by or in behalf of the party whose property was thus destroyed or injured, for three-fourths of the damages sustained by reason thereof.

§ 2. Such action may be brought in the form of an action on the case, or other appropriate action, and whenever any final judgment shall be secured against any such city or county in any such action, the same shall be paid in due course as in case of other judgments.

§ 3. No person or incorporation shall be entitled to recover in any such action if it shall appear on the trial thereof, that such destruction or injury of property was occasioned, or in any way aided, sanctioned or permitted by the carelessness, neglect or wrongful act of such person or corporation; nor

5 shall any person or corporation be entitled to recover any damages for any
6 destruction or injury of property as aforesaid, unless such party shall have
7 used all reasonable diligence to prevent such damage.

§ 4. Nothing in this act shall be construed to prevent any person or
2 corporation whose property has been injured or destroyed in consequence
3 of any mob or riot, from having or maintaining an action, or actions,
4 against any person or persons, engaged or in any manner participating in
5 such mob or riot, for the recovery of the damages sustained thereby; *Pro-*
6 *vided*, that when such city or county, shall have paid any part of such
7 damage, such city, or county making such payment shall have a lien to the
8 amount so paid upon any judgment or claim, against any persons engaged
9 in, or in any manner participating in such mob or riot, together with the
10 right and power to enforce and collect such judgment or claim, and when such
11 city, or county shall have been reimbursed the money so paid by it, such por-
12 tion of such judgment or judgments, or claim or claims remaining unpaid shall
13 then revert to, and become the property of the original owner thereof, and
14 such owner shall have the right to enforce and collect the same.

§ 5. It shall be lawful for the city or county against which a judgment or
2 judgments, for damages shall be recovered under the provisions of this act, to
3 bring an action, or actions against any person or persons engaged or in any
4 manner participating in said mob or riot, for the recovery of the amount of
5 said judgment or judgments and costs, and such action shall not abate or fail
6 by reason of too many or too few parties defendant being named therein; the
7 same shall, to all intents and purposes be treated as an action of trespass
8 brought by the owners of such property, except that the statute of limitations
9 as to such action shall not begin to run against said city or county until its
10 liability is fixed by judgment as hereinbefore provided.

§ 6. No action shall be maintained under the provisions of this act by
2 any person or corporation whose property shall have been destroyed or injured
3 as aforesaid, unless notice of claim for damages be presented to such city or
4 county within thirty days after such loss or damage occurs and such action

5 shall be brought within twelve months after such destruction or injury occurs,
6 but nothing in this act shall be construed as authorizing any recovery by
7 the United States, the State of Illinois, or any county, for the destruction
8 of, or injury to property by mobs or riots.

§ 7. Any city or county may settle with, and pay, the owner of any such
2 property the damages so sustained; and any such city or county which shall
3 have paid any sum under the provisions of this act, whether by voluntary
4 settlement or otherwise, may recover the same with all costs paid by it from
5 any or all the persons engaged in the destruction or injury of the property so
6 paid for.

1. Introduced by Mr. Funk, February 25, 1887, and ordered to first reading.
2. First reading February 25, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back March 30, 1887, with recommendation to be printed for use of Committee.

A BILL

For An Act to amend sections one (1) and two (2) of an act entitled "An act concerning hedge fences about the public highways in this State," approved June 21, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That section one (1) and two (2) of an act entitled
3 "An act concerning hedge fences along the public highways in this State,
4 approved June 21, 1883, in force July 1, 1883, be amended so as to read as
5 follows.

6 "Section 1. That the owner or owners of any hedge fence along the line
7 of any public highway in this State shall during the year next after such
8 hedge fence shall have attained the age of seven years, and every two years
9 thereafter, cut back or trim such hedge fence to a height not to exceed five feet;
10 or, in case such owner or owners desire to grow such hedge fence into rows
11 of trees, they shall five feet above the level of the ground cut or trim, and
12 every two years thereafter, such row of trees so that such public highways
13 shall not be obstructed or impaired in usefulness or convenience, nor the
14 public health be injured or jeopardized thereby: *Provided*, that the provisions
15 of this section shall not apply to any hedge protecting either an orchard or
16 building. *Provided further*, that upon application by the owner of any hedge
17 fence along any highway, to the commissioners of highways of the town

18 where situated, in counties under township organization, or to the supervisors
19 of highways in the road district where situated in counties not under town-
20 ship organization, said commissioners of highways, or supervisors of highways,
21 as the case may be, shall permit said owner to grow a hedge fence, not to
22 exceed one-fourth of the total length of hedge fence along the highway, on
23 each farm of said owner, to any height desired by said owner as a windbreak
24 for stock."

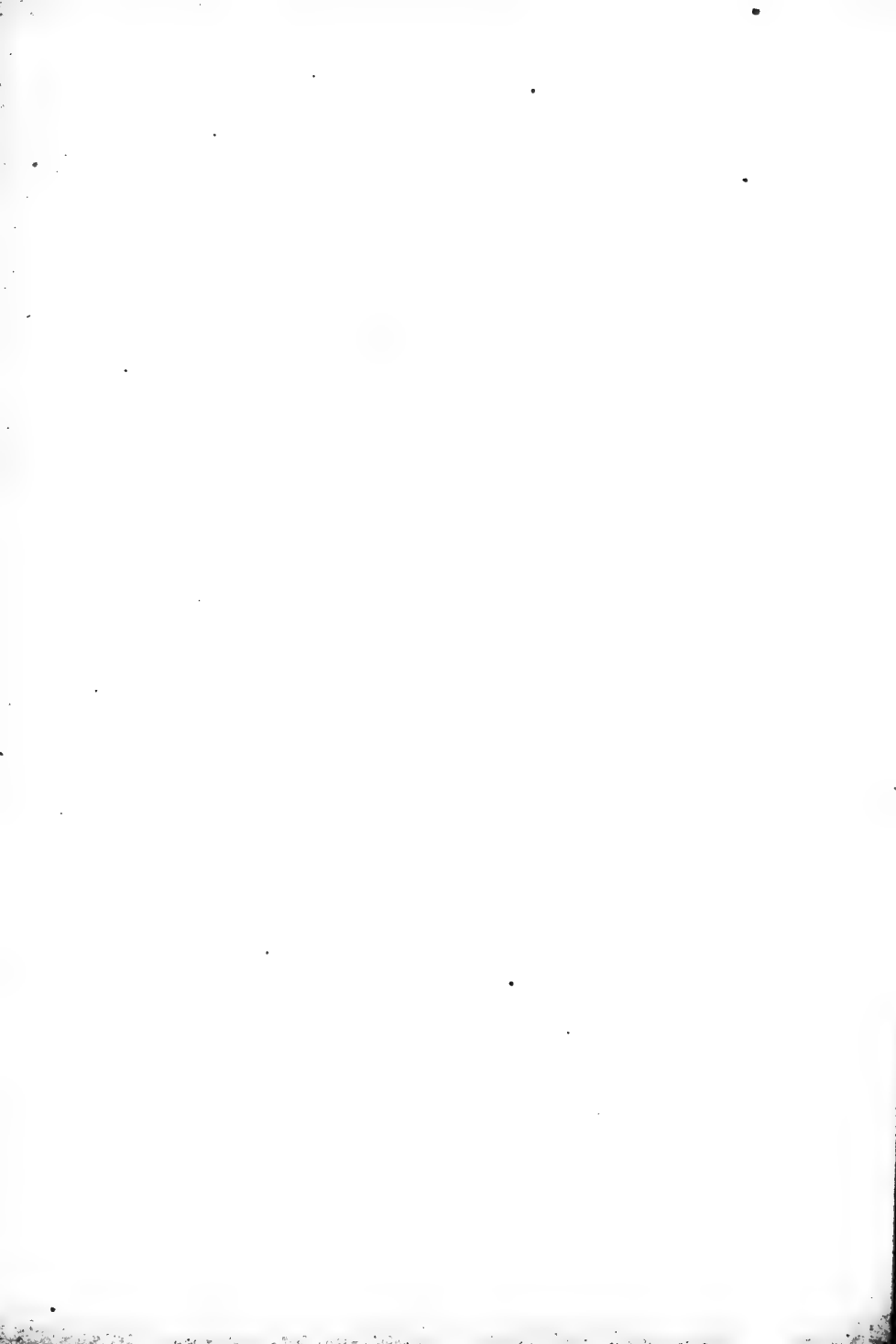
25 "Section 2. If the owner or owners of any such hedge fence or trees shall
26 fail or refuse to comply with the provisions of this act, on or before the
27 fifteenth day of June in the year that said hedge or trees should be cut, the
28 said owner or owners shall be subject to a fine not less than ten dollars (\$10)
29 nor more than fifty dollars (\$50) in each and every year failing to comply
30 with the provisions of this act. Said fine may be recovered, with cost of
31 suit against the owner or owners of such hedge fence or trees, before any
32 justice of the peace, or other court of competent jurisdiction of the county in
33 which such hedge or trees are situated, by suit in the name of the commis-
34 sioners of highways of the township in the counties under township organiza-
35 tion, or supervisors of highways of the road district in counties not under
36 township organization in which such hedge fence or trees may be situated;
37 said fine to be applied for the use of the road district in which such hedge
38 fence or trees may be situated."

-
1. Introduced by Mr. Hadley, February 25, 1887, and ordered to first reading.
 2. First reading, February 25, 1887, and referred to Committee on Judicial Department.
 3. Reported back, May 12, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to prohibit and punish the depositing of obstructions in creeks
and streams.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That it shall be unlawful for any person to cast,
3 fell or deposit any tree, log, brush, timber or other thing that is liable
4 to lodge or become drift into or across any creek or stream of this State,
5 whereby the full flow and free discharge of the water may be obstructed.
6 Any person violating the provisions of this act shall be deemed guilty of
7 a misdemeanor, and on conviction thereof shall be fined in any sum not
8 less than five, nor more than one hundred dollars.



1. Received from House May 6, 1887, and ordered to first reading.
 2. First reading May 16, 1887, and referred to Committee on Appropriations.
 3. Reported back May 25, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to provide for the ordinary and contingent expenses of the Illinois National Guard.

SECTION 1. *Be it enacted by the People of the State of Illinois, in the*
2 *in the General Assembly,* That the following named sums be, and the same
3 are hereby appropriated to meet the ordinary and contingent expenses of the
4 Illinois National Guard from July 1, 1887, until the expiration of the first
5 fiscal quarter after the adjournment of the next regular session of the General
6 Assembly: For the expenses of the Illinois National Guard, one hundred and
7 thirty-five thousand dollars (\$135,000) per annum; for fencing, improvement,
8 repair and extension of the State camp grounds, five thousand dollars (\$5,000)
9 per annum; for the repairs of State Arsenal (unless the General Assembly
10 should consider it in the interest of economy to sell the Arsenal and grounds
11 and erect a new one) five thousand dollars \$5,000.)

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant on the Treasurer for the sums herein specified, upon the
3 presentation of proper vouchers, certified to by the Adjutant General and
4 approved by the Governor, and the Treasurer shall pay the same out of the
5 proper funds.



A bill for an act to provide for the ordinary and contingent expenses of the
Illinois National Guard.

SENATE AMENDMENT TO HOUSE BILL No. 288, ADOPTED JUNE
7, 1887.

Amend by adding to section one the following: "To appropriate the sum
2 of twenty thousand dollars (\$20,000) for the purchase and improvement of a
3 permanent camp and rifle range for the Illinois National Guard, to be
4 selected and located in the northern part of the State, by a board of three
5 commissioned officers and the approval of the Commander in Chief."



1. Introduced by Mr. Curtiss, March 1, 1887, and ordered to first reading.
 2. First reading March 1, 1887, and referred to Committee on Appropriations.
 3. Reported back March 16, passage recommended and ordered to second reading.
-

A BILL

For An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State government.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated the sum of eight hundred thousand dollars (\$800,000), or such sum as may be necessary to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rate of compensation as is now, or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

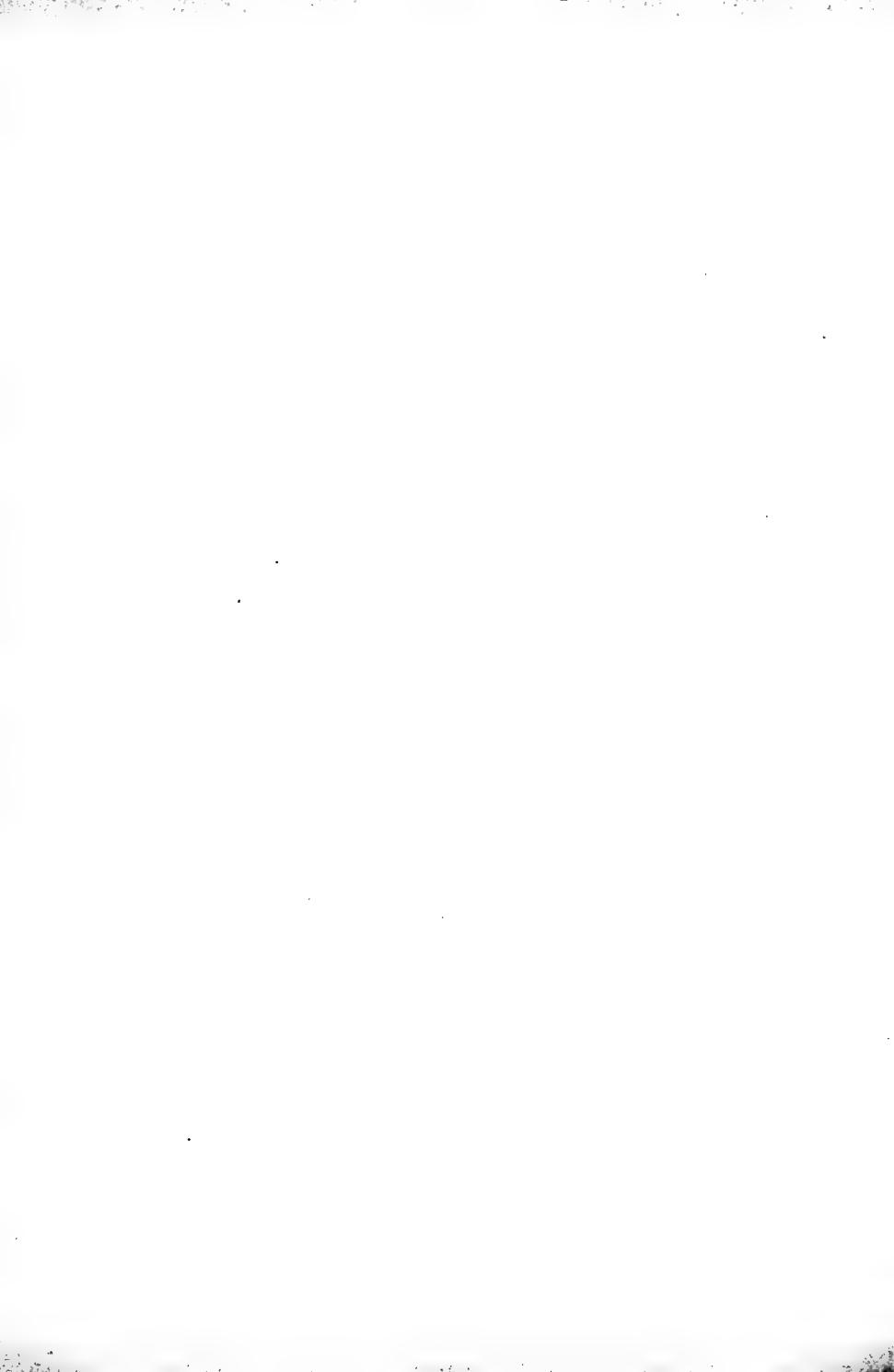
1. Received from House April 29, 1887, and ordered to first reading.
2. May 2, 1887, referred to Committee on Appropriations.
3. Reported back June 6, 1887, passage recommended, read first time and ordered to second reading.

A BILL

For An Act for the relief of Manual H. Boals of Alton, Illinois.

WHEREAS, Manual H. Boals did furnish materials which were actually used
2 in the construction of the Asylum for Feeble Minded Children, at Lincoln,
3 Illinois, to the amount of three thousand four hundred and thirty-three dollars
4 and forty-six cents (\$3,433.46), which sum has been due and owing said Boals
5 since the 10th day of April, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the sum of five thousand four hundred and
3 ninety-three dollars and fifty-three cents be appropriated for the purpose of
4 paying said claim, with interest at the rate of six per cent. per annum, out
5 of any money in the treasury not otherwise appropriated, and that the
6 Auditor of Public Accounts be and he is hereby directed to draw his warrant
7 on the State Treasurer, in favor of said Manual H. Boals for said sum, and
8 take said Boal's receipt in full for all claims against the State for said ma-
9 terials so furnished.



1. Introduced by Mr. Cantrell, March 1, 1887, and ordered to first reading.
2. First reading March 1, 1887, and referred to Committee on License and Miscellany.
3. Reported back April 29, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to prohibit the dredging of sand or gravel from the bottom of Lake Michigan, lying within five miles from the shore of Illinois, except as authorized by the United States Board of Engineers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That on and after the passage of this act it shall be unlawful for any individual, firm or corporation to excavate by the use of dredges or other means, sand or gravel from the bottom of Lake Michigan, within five miles of the shore of Illinois, for any purpose whatever, except as may be authorized by the United States Board of Engineers.*

§ 2. Any individual, firm or corporation, who shall be convicted of a violation of any part of section one (1) of this act shall be fined a sum of one hundred dollars for the first offense, and for each succeeding offense a sum of not less than five hundred dollars.

§ 3. All suits for a violation of any of the preceding sections of this act shall be brought in the name of The People of the State of Illinois, by the Attorney General of the State, whenever sufficient evidence shall be furnished in writing to the Attorney General, and all fines or penalties

5 recovered for a violation of any section of this act, shall be divided
6 equally, one-half to be paid to the person or persons who shall furnish the
7 information which lead to a conviction, and the remaining half shall be
8 paid into the State Treasury for the benefit of the general fund.

1. Received from House, April 14, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 1 of article 7 of chapter 130, Revised Statutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That section one (1) of article seven (7) of chapter
3 one hundred and thirty-nine (139), of the Revised Statutes, be, and the same
4 is hereby amended so as to read as follows:

5 "Section 1. At the annual town meeting in each town, there shall be
6 elected by ballot, one supervisor (who shall be, ex-officio, overseer of the
7 poor), one town clerk, one assessor, and one collector, who shall severally
8 hold their offices for one year, and until their successors are elected and
9 qualified, and such justices of the peace, constables and highway commissioners
10 as are provided by law: *Provided*, that in any town, or any city, not
11 included within the limits of any town (except in Cook county) having
12 four thousand inhabitants, there shall be elected one additional supervisor, to
13 be styled assistant supervisor; in towns having six thousand five hundred
14 inhabitants, there shall be elected two assistant supervisors; and so, for
15 every additional twenty-five hundred inhabitants, there shall be elected one
16 additional supervisor—the population of towns to be ascertained by the last
17 federal or State census preceding the election; or by a town census to
18 be taken as follows: In any year when a federal or State census is not
19 taken, the town auditors of any town may, in their discretion, cause a
20 census of their town to be taken by some competent person, resident of

21 said town, who may be appointed for such purpose by the town auditors;
22 and the person so appointed shall, before entering upon the duties of such
23 office, take and subscribe an oath of office in the same manner as town
24 officers; and it shall be the duty of such person to take and make a correct
25 and true list of all persons residing in said town, and such list, when
26 completed shall be returned to said town auditors, and filed in the town
27 clerk's office. And if such census shows such town to contain four thousand
28 inhabitants, then an additional supervisor for such town shall be elected, as
29 provided by law. And such person so taking such census shall be allowed
30 a reasonable compensation for such services by said town auditors: *Provided,*
31 that nothing in this act shall be so construed as to diminish the
32 representation that any city or town may now be entitled to by law.
33 But in case such city or town is now entitled to a greater representation
34 than is given by this section, it shall be entitled to no additional
35 representation under this section; and the members of the board of
36 supervisors from such city or town now provided for by law, shall continue
37 to be elected as now required by law. *And provided, further,* that
38 whenever the representation of any city or town is, or shall become less
39 than is given by this section no increased representation under any special
40 acts, shall be had by such city or town, but its representation shall be as
41 provided for in this section."

1. Received from House May 26, 1887, and ordered to first reading.
2. First reading May 31, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend an act entitled, "An act in regard to horse and dummy railroads," approved March 19, 1874, in force July 1, 1874, by adding thereto the following sections to be numbered 5, 6, 7 and 8.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That an act entitled "An act in regard to horse and*
3 *dummy railroads," approved March 19, 1874, in force July 1, 1874, be, and*
4 *the same is hereby amended by adding thereto the following sections, to be*
5 *numbered 5, 6, 7 and 8, respectively.*

6 "Section 5. That any horse and dummy or street railway company,
7 organized under any law of this State, is hereby empowered, from time
8 to time, to borrow such sums of money as may be necessary for completing,
9 furnishing, improving or operating such road, or for funding its indebtedness
10 already incurred for such purposes, and to issue and dispose of its bonds for the
11 amount so borrowed, and to mortgage its corporate property, franchises and priv-
12 ileges to secure the payment of any debt contracted by such corporation, for
13 the purpose aforesaid; but the concurrence of the holders of two-thirds in
15 amount of the stock of such corporation, to be expressed in the manner
16 hereinafter provided, shall be necessary to the validity of any such mortgage;
17 and the order or resolution of such mortgage shall be recorded as provided
18 in this act.

19 "Section 6. The concurrence of the holders of at least two-thirds in amount
 20 of the capital stock of such corporation, in the creation of any such debt and the
 21 execution of any such mortgages, shall be made manifest by the votes cast by
 22 such stockholders in person, or by proxy, on the passage of appropriate orders
 23 or resolutions at a meeting of the stockholders of such corporation, called by
 24 the directors thereof for that purpose."

25 "Section 7. The directors of such corporation shall give notice of such meet-
 26 ing by causing written or printed notices thereof to be either personally served
 27 upon or duly mailed (postage prepaid) to all stockholders whose names and addresses
 28 shall be known to said directors, such notice to be so mailed at least thirty days
 29 before time fixed for such meeting. The said notice shall state the time and
 30 place of said meeting, and the purpose thereof, as well as the amount of said
 31 bonds. The said directors shall also cause notices to be inserted in some
 32 newspaper published in each county in which said road shall run (if any
 33 newspaper shall be published in such counties), at least thirty days prior to the
 34 day appointed for such meeting, said notice to contain a general statement of
 35 the time, place and object of such meeting: *Provided*, that by unanimous con-
 36 sent of the stockholders of such company, expressed in writing, stating the
 37 time, place and object of such meeting, such meeting may be held without
 38 the notice above specified, or any other notice than such consent.

39 "Section 8. When such meeting shall be held, the resolution or order author-
 40 ing the issuing of such bonds and the execution of such mortgage, and the mort-
 41 gage executed to secure the same, together with the results of the vote thereon,
 42 shall be recorded in the office of the recorder of deeds of each county in which
 43 such road shall be situated, and such resolution or order shall also be recorded
 44 in the office of the Secretary of State.

1. Received from House May 26, 1887, and ordered to first reading.
2. First reading May 31, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend an act entitled, "An act in regard to horse and dummy railroads," approved March 19, 1874, in force July 1, 1874, by adding thereto the following sections to be numbered 5, 6, 7 and 8.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act in regard to horse and
3 dummy railroads," approved March 19, 1874, in force July 1, 1874, be, and
4 the same is hereby amended by adding thereto the following sections, to be
5 numbered 5, 6, 7 and 8, respectively.

6 "Section 5. That any horse and dummy or street railway company,
7 organized under any law of this State, is hereby empowered, from time
8 to time, to borrow such sums of money as may be necessary for completing,
9 furnishing, improving or operating such road, or for funding its indebtedness
10 already incurred for such purposes, and to issue and dispose of its bonds for the
11 amount so borrowed, and to mortgage its corporate property, franchises and priv-
12 ileges to secure the payment of any debt contracted by such corporation, for
13 the purpose aforesaid; but the concurrence of the holders of two-thirds in
15 amount of the stock of such corporation, to be expressed in the manner
16 hereinafter provided, shall be necessary to the validity of any such mortgage;
17 and the order or resolution of such mortgage shall be recorded as provided
18 in this act.

19 "Section 6. The concurrence of the holders of at least two-thirds in amount
20 of the capital stock of such corporation, in the creation of any such debt and the
21 execution of any such mortgages, shall be made manifest by the votes cast by
22 such stockholders in person, or by proxy, on the passage of appropriate orders
23 or resolutions at a meeting of the stockholders of such corporation, called by
24 the directors thereof for that purpose."

25 "Section 7. The directors of such corporation shall give notice of such meet-
26 ing by causing written or printed notices thereof to be either personally served
27 upon or duly mailed (postage prepaid) to all stockholders whose names and addresses
28 shall be known to said directors, such notice to be so mailed at least thirty days
29 before time fixed for such meeting. The said notice shall state the time and
30 place of said meeting, and the purpose thereof, as well as the amount of said
31 bonds. The said directors shall also cause notices to be inserted in some
32 newspaper published in each county in which said road shall run (if any
33 newspaper shall be published in such counties), at least thirty days prior to the
34 day appointed for such meeting, said notice to contain a general statement of
35 the time, place and object of such meeting: *Provided*, that by unanimous con-
36 sent of the stockholders of such company, expressed in writing, stating the
37 time, place and object of such meeting, such meeting may be held without
38 the notice above specified, or any other notice than such consent.

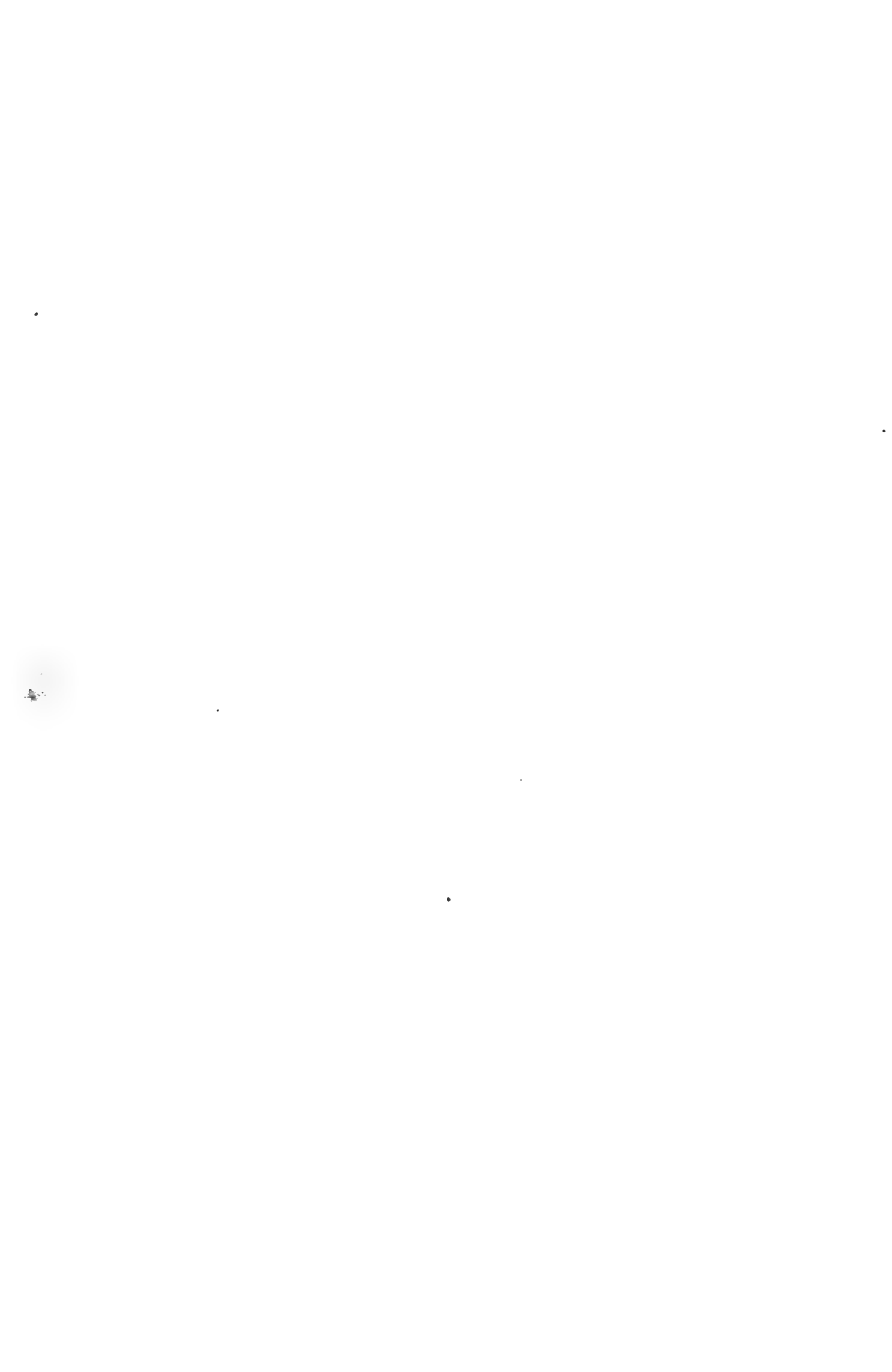
39 "Section 8. When such meeting shall be held, the resolution or order author-
40 ing the issuing of such bonds and the execution of such mortgage, and the mort-
41 gage executed to secure the same, together with the results of the vote thereon,
42 shall be recorded in the office of the recorder of deeds of each county in which
43 such road shall be situated, and such resolution or order shall also be recorded
44 in the office of the Secretary of State.

1. Introduced by Mr. Cochran, March 1, 1887, and ordered to first reading.
2. First reading March 1, 1887, and referred to Committee on Judiciary.
3. Reported back April 1, 1887, passage recommended and ordered to second reading.

A BILL

For An Act relating to bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That from and after the passage of this act no
3 attorney at law shall be permitted to become recognized or give any bond
4 in any criminal action or proceeding in which he shall be interested as
5 attorney.



1. Introduced by Mr. Leman, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to Committee on Municipalities.
3. Reported back March 15, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections two (2), four (4), six (6), seven (7), ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That sections two (2), four (4), six (6), seven (7), ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled "An act to revise the law in relation to township organization," approved March 4, 1874, be and the same are hereby amended so as to read as follows:

"Section 2. When two or more towns are united into one, or when a town is divided into two or more towns, a new election shall be ordered in said new town or towns by the county board, and the time and place of holding the election, shall be fixed, and judges of election appointed and notice given in the same manner as required by law upon the first organization of towns: *Provided*, that when parts of several towns are taken to make a new town, it shall not be necessary to order an election in the towns from which territory is taken, but if any of the officers thereof shall continue to reside in the new town, his office shall be declared vacant and filled as in other cases of vacancy."

17 "Section 4. The union of two or more towns, or the division or alter-
18 ation of a town, after the making out of the assessor's books in any
19 year, shall not in any manner affect the assessment or collection of the
20 taxes assessable and collectable in that year but the same may be assessed
21 and collected in the same manner and by the same officers as if no
22 division, union or alteration had taken place.

23 Section 6. When two or more towns possessed of real estate shall be
24 united, or when a part of any town possessed of real estate shall be
25 annexed to another town or towns, or taken to form a part of a new
26 town, the supervisors and assessors of the town so united, or of the town
27 from which such territory is taken, and of the town or towns to which
28 the same shall be annexed, or of which it shall constitute a part, shall, as
29 soon as may be after such alteration, meet for the purpose and possess the
30 powers provided in the last preceding section."

31 "Section 7. When two or more towns possessed of or entitled to moneys,
32 rights or credits, or other personal estate shall be united, or when a town
33 possessed of or entitled to moneys, rights or credits, or other personal
34 estate, shall be divided or altered, such personal estate including moneys,
35 shall be apportioned between the towns interested therein by the supervisors
36 and assessors of such towns according to the amount of taxable property in
37 the town or towns united, divided or altered, as the same existed imme-
38 diately before such union, division or alteration, to be ascertained by the
39 last assessment list of such town; and such supervisors and assessors
40 shall meet for the purpose aforesaid as soon as may be, after such union,
41 division, or alteration."

42 "Section 10. Debts owing by a town or towns so united, subdivided or
43 altered, shall be apportioned in the same manner as the personal property of
44 the town, and each town shall thereafter be charged with its share of such
45 debts according to such apportionment."

46 "Section 11. When the several towns cannot agree in relation to a
47 division or apportionment of the real or personal property, or debts, or any

48 part thereof, as provided in the six preceding sections, the dispute shall be
49 submitted to the county court of the county, whose decision in the matter
50 shall be conclusive between the parties. The court shall hear and determine
51 the matter in a summary manner, without pleadings, and shall pronounce
52 judgment as the right of the case may be."

53 "Section 12. The County Board of each county shall have full power and
54 jurisdiction to unite into one town, two or more contiguous towns, whether
55 incorporated under any special or general act, or organized under this act,
56 and to disconnect territory from one of such towns, and annex the same to
57 another; but no such towns shall be united, nor shall territory be taken
58 from one such town and at the same time annexed to another, except in the
59 following manner, that is to say: After the petition hereby required shall
60 have been presented to the county board for the union of such towns, or
61 for disconnecting territory from one of such towns and annexing the same
62 to another, said county board shall cause to be submitted to the voters of
63 said towns at a general annual election to be holden in each of said towns
64 the question of uniting, or of disconnection and annexation: *Provided*, that
65 no territory shall be taken from one such town and at the same time united
66 to another unless such territory be at least one half square mile in extent,
67 and contain at least one thousand inhabitants. Where it is proposed to
68 unite two or more contiguous towns under this section, said petition shall
69 be signed by at least one fourth of the voters of each of the towns sought
70 to be united; *Provided*, that if in any town the number of voters exceeds
71 four hundred at the last general election, then by one hundred of the voters
72 in such town. Where it is sought to disconnect part of the territory from
73 one town and annex the same to a contiguous town, such petition shall be
74 signed by at least one-fourth of the voters of the territory sought to be
75 disconnected from one town and annexed to the contiguous town, or if
76 such territory contains more than four hundred voters at the last general
77 election, then by one hundred of such voters. Notice of the election
78 hereby required shall be given by causing notices thereof to be posted

79 up in five public places in each of said towns at least twenty days
 80 before such election, and by publishing the same in at least one news-
 81 paper (if any there be published) in each of said towns, or a newspaper
 82 published in said county. The ballots cast at such election to be written
 83 or printed, or partly written or partly printed, 'For Uniting' or 'Against
 84 Uniting,' or 'For Annexation' or 'Against Annexation,' respectively, to be
 85 canvassed in like manner as votes for county officers, and returned to
 86 the County Board who shall cause the votes to be canvassed. If a
 87 majority of voters of each town voting upon the question of union at
 88 such election shall vote for uniting such towns, such County Board at
 89 the meeting at which such vote is canvassed, or at the next succeeding
 90 meeting, shall proceed to declare such towns united, and give the united
 91 towns a name and define the boundaries thereof: *Provided*, that the
 92 officers of each of such towns shall continue to hold their respective
 93 offices and to discharge the duties thereof during the remainder of the
 94 term for which they were respectively elected: *And, provided*, that the
 95 Commissioners of Highways, if there be such, in each of said towns in
 96 office at the time of such union shall continue in and discharge the
 97 duties of their respective offices during the remainder of the terms for
 98 which they were elected, and in the discharge of their duties shall act in
 99 conjunction. *And, provided, further*, that the union of such towns shall
 100 not be complete until the expiration of the terms of all officers in said
 101 towns who are elected to serve for the period of one year. Where one of
 102 such towns is wholly within the limits of an incorporated city the limits of
 103 that city shall extend to include both or all such towns. If a majority of
 104 the voters in each town voting upon the question of disconnection of terri-
 105 tory from one such town and annexation, to the other at such election shall vote
 106 for the annexation, such County Board at the meeting at which such votes are
 107 canvassed, or at the next succeeding meeting, shall proceed to declare such ter-
 108 ritory disconnected from the town of which it formerly formed a part, and united
 109 to the contiguous town to which it sought to be annexed: *Provided*, that the

110 officers of the town to which such territory is annexed shall thereupon constitute
 111 the town officers of such territory: *And, provided*, that where said town to which
 112 such territory is annexed is wholly within the limits of an incorporated city, the
 113 limits of said city shall thereupon be extended to include the territory annexed
 114 to such town. Where the alteration or division or union of towns necessitates
 115 a change in any school district, it shall be the duty of the officers having
 116 charge of the school property therein to proceed to make an adjustment of
 117 the property and debts thereof, as in the case of the alteration of school
 118 districts. After the declaration by the County Board of the union or annex-
 119 ation herein provided for, it shall be the duty of the officers specified in this
 120 article to meet for the purpose of adjusting the assets and debts of said
 121 towns. If the town or part thereof, which may be joined to an incorporated
 122 city under this section is also an incorporated town or village, or part of the
 123 same, and such incorporated town or village has property or debts, then the
 124 property and debts and rights of such incorporation, town or village shall be
 125 adjusted by the same officers and in the same manner as provided in this
 126 article."

AMENDMENT.

Amend section, (7) by striking out the words "two or more" in the first (1) line
 2 thereof, and inserting in place thereof the words, "a town."



1. Introduced by Mr. Leman, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to Committee on Municipalities.
3. Reported back March 15, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 7, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend sections two (2), four (4), six (6), seven (7), ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections two (2), four (4), six (6), seven (7),
3 ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled
4 "An act to revise the law in relation to township organization," approved
5 March 4, 1874, be and the same are hereby amended so as to read as fol-
6 lows:

7 "Section 2. When two or more towns are united into one, or when a
8 town is divided into two or more towns, a new election shall be ordered in
9 said new town or towns by the county board, and the time and place of
10 holding the election shall be fixed, and judges of election appointed and
11 notice given in the same manner as required by law upon the first organiza-
12 tion of towns: *Provided,* that when parts of several towns are taken to
13 make a new town, it shall not be necessary to order an election in the towns
14 from which territory is taken, but if any of the officers thereof shall continue
15 to reside in the new town, his office shall be declared vacant and filled as
16 in other cases of vacancy.

17 “Section 4. The union of two or more towns, or the division or alteration
18 of a town, after the making out of the assessor's books in any year, shall not
19 in any manner affect the assessment or collection of the taxes assessable and
20 collectable in that year but the same may be assessed and collected in the
21 same manner and by the same officers as if no division, union or alteration
22 had taken place.

23 “Section 6. When two or more towns possessed of real estate shall be united,
24 or when a part of any town possessed of real estate shall be annexed to
25 another town or towns, or taken to form a part of a new town, the super-
26 visors and assessors of the town, so united, or of the town from which such
27 territory is taken, and of the town or towns to which the same shall be
28 annexed, or of which it shall constitute a part, shall, as soon as may be after
29 such alteration, meet for the purpose and possess the powers provided in the
30 last preceding section.

31 “Section 7. When two or more towns, any one or more of which are pos-
32 sessed of or entitled to moneys, rights or credits, or other personal estate,
33 shall be united, or when a town possessed or entitled to moneys, rights or
34 credits, or other personal estate, shall be divided or altered, such personal
35 estate including moneys, shall be apportioned between the towns interested
36 therein by the supervisors and assessors of such towns according to the amount
37 of taxable property in the town or towns united divided or altered, as the
38 same existed immediately before such union, division or alteration, to be
39 ascertained by the last assessment list of such town; and such supervisors
40 and assessors shall meet for the purpose aforesaid as soon as may be, after
41 such union, division or alteration.

42 “Section 10. Debts owing by a town or towns so united, subdivided or
43 altered, shall be apportioned in the same manner as the personal property of
44 the town, and each town shall thereafter be charged with its share of such
45 debts according to such apportionment.

46 “Section 11. When the several towns cannot agree in relation to a
47 division or apportionment of the real or personal property, or debts, or any
48 part thereof, as provided in the six preceding sections, the dispute shall be

49 submitted to the county court of the county, whose decision in the matter
50 shall be conclusive between the parties. The court shall hear and determine
51 the matter in a summary manner, without pleadings, and shall pronounce
52 judgment as the right of the case may be."

53 "Section 12. The County Board of each county shall have full power and
54 jurisdiction to unite into one town, two or more contiguous towns, whether
55 incorporated under any special or general act, or organized under this act,
56 and to disconnect territory from one of such towns, and annex the same to
57 another; but no such town shall be united, nor shall territory be taken
58 from one such town and at the same time annexed to another, except in the
59 following manner, that is to say: After the petition hereby required shall
60 have been presented to the county board for the union of such towns, or
61 for disconnecting territory from one of such towns and annexing the same
62 to another, said county board shall cause to be submitted to the voters of
63 said towns at a general annual election to be holden in each of said towns
64 the question of uniting, or of disconnection and annexation: *Provided*, that
65 no territory shall be taken from one such town and at the same time united
66 to another unless such territory be at least one half mile square in extent,
67 and contain at least one thousand inhabitants. Where it is proposed to
68 unite two or more contiguous towns under this section, said petition shall
69 be signed by at least one-fourth of the voters of each of the towns sought
70 to be united; *Provided*, that if in any town the number of voters exceeds
71 four hundred at the last general election, then by one hundred of the voters
72 in such town. Where it is thought to disconnect part of the territory from
73 one town and annex the same to a contiguous town, such petition shall be
74 signed by at least one-fourth of the voters of the territory sought to be
75 disconnected from one town and annexed to the contiguous town, or if
76 such territory contains more than four hundred voters at the last general
77 election, then by one hundred of such voters. Notice of the election
78 hereby required shall be given by causing notices thereof to be posted
79 up in five public places in each of said towns at least twenty days
80 before such election, and by publishing the same in at least one news-

81 paper if any there be published in each of said towns, or a newspaper
82 published in said county. The ballots cast at such election to be written
83 or printed, or partly written or partly printed, 'For Uniting' or 'Against
84 Uniting,' or 'For Annexation' or 'Against Annexation,' respectively, to be
85 canvassed in like manner as votes for county officers, and returned to
86 the County Board who shall cause the votes to be canvassed. If a
87 majority of voters of each town voting upon the question of Union at
88 such election shall vote for uniting such towns, such County Board at
89 the meeting at which such vote is canvassed, or at the next succeeding
90 meeting, shall proceed to declare such towns united, and give the united
91 towns a name and define the boundaries thereof: *Provided*, that the
92 officers of each of such towns shall continue to hold their respective
93 offices and to discharge the duties thereof during the remainder of the
94 term for which they were respectively elected: *And, provided*, that the
95 Commissioners of Highways, if there be such, in each of said towns in
96 office at the time of such union shall continue in and discharge the
97 duties of their respective offices during the remainder of the terms for
98 which they were elected, and in the discharge of their duties shall act in
99 conjunction: *And, provided, further*, that the union of such towns shall
100 not be complete until the expiration of the terms of all officers in said
101 towns who are elected to serve for the period of one year. Where one of
102 such towns is wholly within the limits of an incorporated city the limits of
103 that city shall extend to include both or all such towns. If a majority of
104 the voters in each town voting upon the question of disconnection of terri-
105 tory from one such town and annexation, to the other at such election shall vote
106 for the annexation, such County Board at the meeting at which such votes are
107 canvassed, or at the next succeeding meeting, shall proceed to declare such ter-
108 ritory disconnected from the town of which it formerly formed a part, and united
109 to the contiguous town to which it sought to be annexed: *Provided*, that the
110 officers of the town to which such territory is annexed shall thereupon constitute
111 the town officers of such territory: *And, provided*, that where said town to which

112 such territory is annexed is wholly within the limits of an incorporated city, the
113 limits of said city shall thereupon be extended to include the territory annexed
114 to such town. Where the alteration or division or union of towns necessitates
115 a change in any school district, it shall be the duty of the officers having
116 charge of the school property therein to proceed to make an adjustment of
117 the property and debts thereof, as in the case of the alteration of school
118 districts. After the declaration by the county board of the union or annex-
119 ation herein provided for, it shall be the duty of the officers specified in this
120 article to meet for the purpose of adjusting the assets and debts of said
121 towns. If the town or part thereof, which may be joined to an incorporated
122 city under this section is also an incorporated town or village, or part of the
123 same, and such incorporated town or village has property or debts, then the
124 property and debts and rights of such incorporation, town or village shall be
125 adjusted by the same officers and in the same manner as provided in this
126 article."

old style letters are

longer and

shorter

more or less

in

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

1. Introduced by Mr. Leman, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to Committee on Municipalities.
3. Reported back March 15, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 7, 1887, amended, and ordered to third reading.
5. Amended April 20, 1887, and ordered to third reading.

A BILL

For An Act to amend sections two (2), four (4), six (6), seven (7), ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections two (2), four (4), six (6), seven (7),
3 ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled
4 "An act to revise the law in relation to township organization," approved
5 March 4, 1874, be and the same are hereby amended so as to read as fol-
6 lows:

7 "Section 2. When two or more towns are united into one, or when a
8 town is divided into two or more towns, a new election shall be ordered in
9 said new town or towns by the county board, and the time and place of
10 holding the election shall be fixed, and judges of election appointed and
11 notice given in the same manner as required by law upon the first organiza-
12 tion of towns: *Provided,* that when parts of several towns are taken to
13 make a new town, it shall not be necessary to order an election in the towns
14 from which territory is taken, but if any of the officers thereof shall continue
15 to reside in the new town, his office shall be declared vacant and filled as
16 in other cases of vacancy.

17 "Section 4. The union of two or more towns, or the division or alteration
18 of a town, after the making out of the assessor's books in any year, shall not
19 in any manner affect the assessment or collection of the taxes assessable and
20 collectable in that year but the same may be assessed and collected in the
21 same manner and by the same officers as if no division, union or alteration
22 had taken place.

23 "Section 6. When two or more towns possessed of real estate shall be united,
24 or when a part of any town possessed of real estate shall be annexed to
25 another town or towns, or taken to form a part of a new town, the super-
26 visors and assessors of the town, so united, or of the town from which such
27 territory is taken, and of the town or towns to which the same shall be
28 annexed, or of which it shall constitute a part, shall, as soon as may be after
29 such alteration, meet for the purpose and possess the powers provided in the
30 last preceding section.

31 "Section 7. When two or more towns, any one or more of which are pos-
32 sessed of or entitled to moneys, rights or credits, or other personal estate,
183 shall be united, or when a town possessed of or entitled to moneys, rights or
34 credits, or other personal estate, shall be divided or altered, such personal
35 estate including moneys, shall be apportioned between the towns interested
36 therein by the supervisors and assessors of such towns according to the amount
37 of taxable property in the town or towns united divided or altered, as the
38 same existed immediately before such union, division or alteration, to be
39 ascertained by the last assessment list of such town; and such supervisors
40 and assessors shall meet for the purpose aforesaid as soon as may be, after
41 such union, division or alteration.

42 "Section 10. Debts owing by a town or towns so united, subdivided or
43 altered, shall be apportioned in the same manner as the personal property of
44 the town, and each town shall thereafter be charged with its share of such
45 debts according to such apportionment.

46 "Section 11. When the several towns cannot agree in relation to a
47 division or apportionment of the real or personal property, or debts, or any

48 part thereof, as provided in the six preceding sections, the dispute shall be
 49 submitted to the county court of the county, whose decision in the matter
 50 shall be conclusive between the parties. The court shall hear and determine
 51 the matter in a summary manner, without pleadings, and shall pronounce
 52 judgment as the right of the case may be."

53 "Section 12. The County Board of each county shall have full power and
 54 jurisdiction to unite into one town, two or more contiguous towns, whether
 55 incorporated under any special or general act, or organized under this act,
 56 and to disconnect territory from one of such towns, and annex the same to
 57 another; but no such town shall be united, nor shall territory be taken
 58 from one such town and at the same time annexed to another, except in the
 59 following manner, that is to say: After the petition hereby required shall
 60 have been presented to the county board for the union of such towns, or
 61 for disconnecting territory from one of such towns and annexing the same
 62 to another, said county board shall cause to be submitted to the voters of
 63 said towns at a general annual election to be holden in each of said towns
 64 the question of uniting, or of disconnection and annexation: *Provided*, that
 65 no territory shall be taken from one such town and at the same time united
 66 to another unless such territory be at least one half square mile in extent,
 67 and contain at least one thousand inhabitants. Where it is proposed to
 68 unite two or more contiguous towns under this section, said petition shall
 69 be signed by at least one-fourth of the voters of each of the towns sought
 70 to be united; *Provided*, that if in any town the number of voters exceeds
 71 four hundred at the last general election, then by one hundred of the voters
 72 in such town. Where it is thought to disconnect part of the territory from
 73 one town and annex the same to a contiguous town, such petition shall be
 74 signed by at least one-fourth of the voters of the territory sought to be
 75 disconnected from one town and annexed to the contiguous town, or if
 76 such territory contains more than four hundred voters at the last general
 77 election, then by one hundred of such voters. Notice of the election
 78 hereby required shall be given by causing notices thereof to be posted
 79 up in five public places in each of said towns at least twenty days

80 before such election, and by publishing the same in at least one news-
81 paper (if any there be published) in each of said towns, or a newspaper
82 published in said county. The ballots cast at such election to be written
83 or printed, or partly written and partly printed, 'For Uniting' or 'Against
84 Uniting,' or 'For Annexation' or 'Against Annexation,' respectively, to be
85 canvassed in like manner as votes for county officers, and returned to
86 the County Board who shall cause the votes to be canvassed. If a
87 majority of voters of each town voting upon the question of Union at
88 such election shall vote for uniting such towns, such County Board at
89 the meeting at which such vote is canvassed, or at the next succeeding
90 meeting, shall proceed to declare such towns united, and give the united
91 towns a name and define the boundaries thereof: *Provided, that the*
92 *officers of each of such towns shall continue to hold their respective*
93 *offices and to discharge the duties thereof during the remainder of the*
94 *term for which they were respectively elected: And, provided, that the*
95 *Commissioners of Highways, if there be such, in each of said towns in*
96 *office at the time of such union shall continue in and discharge the*
97 *duties of their respective offices during the remainder of the terms for*
98 *which they were elected, and in the discharge of their duties shall act in*
99 *conjunction: And, provided, further, that the union of such towns shall*
100 *not be complete until the expiration of the terms of all officers in said*
101 *towns who are elected to serve for the period of one year. Where one of*
102 *such towns is wholly within the limits of an incorporated city the limits of*
103 *that city shall extend to include both or all such towns. If a majority of*
104 *the voters in each town voting upon the question of disconnection of terri-*
105 *tory from one such town and annexation, to the other at such election shall vote*
106 *for the annexation, such County Board at the meeting at which such votes are*
107 *canvassed, or at the next succeeding meeting, shall proceed to declare such ter-*
108 *ritory disconnected from the town of which it formerly formed a part, and united*
109 *to the contiguous town to which it is sought to be annexed: Provided, that the*
110 *officers of the town to which such territory is annexed shall thereupon constitute*

111 the town officers of such territory: *And, provided*, that where said town to which
112 such territory is annexed is wholly within the limits of an incorporated city, the
113 limits of said city shall thereupon be extended to include the territory annexed
114 to such town. Where the alteration or division or union of towns necessitates
115 a change in any school district, it shall be the duty of the officers having
116 charge of the school property therein to proceed to make an adjustment of
117 the property and debts thereof, as in the case of the alteration of school
118 districts. After the declaration by the county board of the union or annex-
119 ation herein provided for, it shall be the duty of the officers specified in this
120 article to meet for the purpose of adjusting the assets and debts of said
121 towns. If the town or part thereof, which may be joined to an incorporated
122 city under this section is also an incorporated town or village, or part of the
123 same, and such incorporated town or village has property or debts, then the
124 property and debts and rights of such incorporation, town or village shall be
125 adjusted by the same officers and in the same manner as provided in this
126 article. *And, provided, further*, that all ordinances for the regulation or
127 restraint of the sale of intoxicating liquors which shall be in force in the
128 whole or any part of said annexed territory, at the time of said annexa-
129 tion, shall continue in force therein, and shall not be repealed except upon
130 the petition of one hundred householders within said prohibited portion,
131 and a vote for such repeal of the majority of all the aldermen of the
132 common council of the city to which such territory shall be annexed,
133 including the vote therefor of the aldermen in whose ward said prohibited
134 district shall then, wholly or in part, lie: *And, provided, further*, that when
135 the county board of commissioners wish to consolidate a town in which
136 the corporate authorities are authorized to assess, levy and receive taxes
137 for park purposes, such county board shall first submit to the legal voters
138 of the town at an election to be held on the Tuesday after the first
139 Monday of November the question whether such town shall be established
140 and continued as a park district for park purposes; and when such park
141 shall be located in such town and also in another town adjoining thereto

142 the question shall be submitted to the voters of each of such towns in
143 which a park shall be located whether such towns shall be established
144 and continued as a park district, at an election to be held on the Tuesday
145 after the first Monday of November. The tickets shall be written or
146 printed 'For Park District' or 'Against Park District.' And if a majority
147 of the votes cast at the election on that subject in each town shall be
148 for a park district, then the park district shall be deemed as established
149 and the park commissioners, appointed and authorized by law, shall there-
150 upon be the corporate authorities of such park district and shall have
151 and exercise all the power and authority and perform all the duties en-
152 joined by law on the corporate authorities of such town or towns
153 for the establishment and maintenance of the park, and for the discharge
154 of all debts, bonds, obligations and contracts of such town for park pur-
155 poses. The mode of conducting such election, the returns thereof and
156 the notices therefor, the canvassing and contesting the same shall be as
157 nearly as may be as in the case of county officers. If such park dis-
158 trict is established as aforesaid, then the county may proceed to con-
159 solidate said town with another town or towns or change the boundaries
160 thereof, but if such park district is not established as aforesaid then there
161 shall be no authority in the county board to consolidate such town or
162 towns with another town or towns.

1. Introduced by Mr. Hadley, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to Committee on Judicial Department.
3. Reported back March 8, passage recommended, and ordered to second reading.

A BILL

For An Act to revise the law in regard to the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State, and for their distribution.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the reports of the decisions of the Supreme
3 Court shall be distributed as follows, viz: Five copies to the Library of
4 Congress, one copy to the President of the United States, one copy to
5 each State and Territorial library, one copy to each Judge of the Supreme
6 Court of this State, one copy to each Judge of the Circuit Court of
7 this State, one copy to each judge of the superior court of Cook county,
8 one copy to the judge of each city court in this State, one copy to each
9 clerk of the courts of record in this State, one copy to each law institute
10 in this State, one copy to each State officer required to reside at the seat
11 of government, five copies shall be deposited in each library of the Supreme
12 Court of this State, and twenty copies shall be deposited in the State
13 Library, for the use of the State. For the purpose of carrying into effect
14 the foregoing provisions, the Secretary of State is hereby authorized and
15 required to purchase a sufficient number of copies of the official edition
16 of said Illinois Reports published after this act takes effect, and each
17 and every volume, from time to time, as the same shall thereafter be

18 published, for the purpose provided as aforesaid, said books to be paid for
 19 when certified by the Secretary of State, upon the warrant of the Auditor,
 20 by the State Treasurer, out of moneys appropriated for that purpose. All
 21 volumes of said reports which may be published after this act takes effect
 22 shall be furnished at a price not exceeding one dollar and seventy-five
 23 cents (\$1.75) per volume, delivered at the office of Secretary of State. The
 24 reporter of said decisions shall perform such duties, and in such manner
 25 as the Supreme Court has or may, from time to time, by rule prescribe.
 26 He shall receive as his compensation a salary of three thousand dollars
 27 per annum, payable out of the State Treasury in quarter-yearly installments
 28 upon the warrant of the Auditor. It is hereby made the duty of the
 29 Reporter, within four months after a sufficient number of opinions to
 30 constitute a volume shall be ready for delivery to him, to have the same
 31 printed and published in the style and manner, and of the size and quality
 32 required by the rules of the Supreme Court, and for such period as he
 33 may be in default, in that regard, he shall receive no salary. He shall
 34 keep constantly on hand at the State Capital a sufficient number of such
 35 reports as may be published, after this act takes effect, to supply all
 36 demands therefor, and shall sell the same at a price not exceeding one
 37 dollar and seventy-five cents (\$1.75) per volume, and a neglect or refusal
 38 on his part to comply with this requirement shall be sufficient ground of
 39 removal from office, and shall work a forfeiture of his salary and all emol-
 40 uments. In no event shall the State be hable for any portion of the cost
 41 of printing and publishing said reports, but the entire expense thereof shall
 42 be paid by the reporter.

§ 2. That an act entitled, "An act to regulate the reporting of the
 2 decisions of the Supreme Court of this State, to fix the compensation of
 3 the reporter, to fix the price of said reports, to provide for the purchase
 4 of certain copies thereof by the State, and for their distribution," approved
 5 May 17, 1877, in force July 1, 1877, and all other acts and parts of acts
 7 inconsistent herewith are hereby repealed.

1. Introduced by Mr. Adams, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to committee on Agriculture and Drainage.
3. Reported back March 24. Passage recommended, and ordered to second reading.

A BILL

For An Act to encourage the propagation and cultivation and to secure the protection of fishes in all the waters of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be unlawful for any person to catch or kill any fish with any seine or any other device used as a seine, in or upon any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses wholly within or running through the State of Illinois, nor shall the meshes of any weir basket or trap or any device used for catching fish in such waters not above prohibited, except for catching minnows for bait, be less than two inches square: *Provided,* however, that seining shall be lawful and allowed between the first day of July in each year and the first day of March in the following year, with seines, the meshes of which shall not be less than two inches square, in such rivers or streams as are used for navigation, wholly within the State, and not above or beyond any private or corporate dams on said rivers or streams; and, also, in the navigable bays or lakes connected with such navigable streams wholly within the state, and not extending beyond the overflowed bottoms of such rivers or streams: *Provided,* also, that it shall be lawful for the Fish Commissioners, or persons authorized by them, to take fish in any way at any time they deem best, for purposes of propagation or distribution.

§ 2. That no person shall place, cause to be placed, or erected, any seine
 2 weir, net, fish dam or other obstruction in or across any of the rivers, creeks,
 3 streams, ponds, lakes, sloughs, bayous or other water courses wholly
 4 within this State, in such manner as shall obstruct the free passage of fish
 5 up and down or through such water courses; and it shall be unlawful for
 6 any person to catch or take fish, except minnows for bait, with any device
 7 other than a hook and line within one-half a mile of any dam constructed
 8 across any of the rivers or creeks of this State.

§ 3. That it shall be the duty of any person or persons who now own
 2 or hereafter may erect any dam or other obstruction across any of the
 3 rivers, creeks, streams, bayous or other water courses within this State,
 4 to place therein suitable fish-ways, in order that the free passage of fish
 5 up and down such waters may not be obstructed; and in case the owners,
 6 operators, lessors, or others persons operating, using or controlling any dam
 7 or other obstruction across any of the rivers, creeks, streams bayous or
 8 other water courses of the State, shall fail or refuse after ten days' notice
 9 by the Fish Commissioners of this State, or any one of them, to construct
 10 and maintain suitable fish ways, as provided in this act, then the Fish
 11 Commissioners may construct, or cause to be constructed, suitable fish ways,
 12 and recover in action of debt in the name of the people of the State of
 13 Illinois, before any justice of the peace or any court of competent juris-
 14 diction, double the cost of constructing said fish-way; said fund, in excess
 15 of the actual cost, shall be paid to the county superintendent of schools.

§ 4. That it shall be unlawful for any person or persons, at any time,
 2 to catch or kill any fish in any of the rivers, creeks, ponds, lakes, sloughs,
 3 bayous or other water courses within the jurisdiction of this State, by use
 4 of spear line, acid, medicinal or chemical compound or explosive.

§ 5. It shall be unlawful for any person or persons to take by any
 2 device or means whatsoever, brook trout from any of the streams, lakes
 3 or other water courses within the State, between the fifteenth day of July
 4 and the first day of April following, in each year and at no time with
 5 any device whatever except a hook and line.

§ 6. Any person or persons violating any of the provisions of the preceding sections of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten (10) nor more than two hundred dollars (\$200) and cost of suit.

§ 7. Any person or persons who shall, for the purpose of fishing, without the consent of the owner, trespass upon the lands of another, containing any fish pond or lake, whether natural or artificial, when and where the waters of such pond or lake are not directly connected with any water course in this State, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than ten nor more than one hundred dollars and cost of suit for the first offense, and not less than thirty nor more than two hundred dollars for the second offense, and the same for each subsequent offense as for the second offense.

§ 8. To enforce the provisions of this act, all suits brought under the same shall be brought in the name of the People of the State of Illinois, and shall be brought on the complaint of any person or persons showing by affidavit that some section of this act has been violated, giving the names of the person and persons violating, if known, and if unknown, such affidavit shall state by some person or persons whose name or names are unknown, and such complaint shall be made before any justice of the peace of the county in which such violation has been made.

§ 9. Where such violation is alleged to have been committed upon that portion of a stream or water course which may be the dividing line between two counties, then the complaint may be made to any justice of the peace of either of such counties.

§ 10. If the justice before whom such complaint shall be made shall be satisfied that there is reasonable cause to justify the making of such complaint, he shall issue his warrant, directed to the sheriff or constable of such county, commanding him forthwith to arrest and bring before him, or in his absence, before some other justice of the peace within such county, the person or persons alleged to have been guilty of violating any of the sections of this act.

§ 11. Whenever any person or persons shall be brought before any justice of the peace, in the manner provided in this act, it shall be the duty of such justice to hear and determine the complaint. The person or persons so charged may demand a jury at any time before the commencement of the trial, and the case shall be tried as cases before justices in civil cases, and judgment shall be for conviction or acquittal of the defendant or defendants in the case. In case a jury is called, the form of the verdict shall be, if for conviction: "We, the jury, find the defendant guilty, and assess the fine at dollars;" and if for acquittal: "We, the jury, find the defendant not guilty." The justice shall pronounce judgment in accordance with the verdict.

§ 12. Whenever any judgment of conviction shall be rendered against any defendant or defendants, as above provided, execution shall issue forth with on such judgment, and the sheriff or constable to whom the same shall be directed, shall pay one-half of all penalties collected on such execution in payment of such judgment to the person or persons who shall have made the complaint, and the remaining one-half to the superintendent of schools of the county wherein such trial shall be had.

§ 13. Whenever any execution, issued as above provided, shall be returned "No property found," the justice issuing the same, or in case of his death or absence, any other justice having possession of the docket in which such judgment was entered, shall issue his warrant to the sheriff or any constable of such county, commanding him to take and deliver the defendant or defendants in the execution to the jailor of said county, who shall receive such defendant or defendants into his custody and commit him to the county jail of such county, or workhouse of such county whenever one exists, for a period of not less than ten nor more than sixty days, as the justice shall decide and direct in his warrant, but such defendant or defendants so arrested or committed shall be discharged at any time on payment of such fine and costs.

§ 14. Any defendant or defendants against whom such judgment of conviction shall be rendered, and, in case of acquittal, the party making the complaint,

3 or any person who will give the necessary bond, shall have the right of
4 appeal, on the same terms as in civil cases before justices, but no proceed-
5 ings herein provided for shall be stayed until such appeal shall be fully
6 perfected.

§ 15. It shall be the duty of all sheriffs, deputy sheriffs and constables of
2 this State to look after the violations of any of the sections of this act; to
3 make complaints where such violations come to their knowledge; and they
4 shall have power to arrest any person or persons they may find in the act of
5 violating any of the provisions of this act without a warrant, and keep him
6 or them in custody until complaint can be made against him or them, as
7 hereinbefore provided.

§ 16. All acts and parts of acts in conflict with this act are hereby
2 repealed; but such repeal shall not disturb the status of the present Board of
3 Fish Commissioners.

1. Introduced by Mr. Crayford, March 2, 1887, and ordered to first reading.
2. First reading March 2, 1887, and referred to Committee on Municipalities.
3. Reported back March 15, passage recommended, and ordered to second reading.

A BILL

For An Act to enable Park Commissioners to sell land no longer needed for
Park purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That any board of park commissioners having the
3 control or supervision of any public park, boulevard, driveway or highway, and
4 having any piece or parcel of land not exceeding one acre in area which
5 shall no longer be needed or deemed necessary or useful for the purpose of
6 said park, boulevard, driveway or highway, may apply to the circuit court of
7 the county in which such piece or parcel of land is situated by petition in
8 writing for leave to sell the same. Notice of such application shall be given
9 by said board of park commissioners in some newspaper published in said
10 county at least ten days before the day named therein when said application
11 will be made. All persons interested may appear before said circuit court,
12 either in person or by attorney when said application shall be made, and
13 object to the granting thereof. After hearing all persons interested if said
14 court shall deem the granting of said application to be for the public interest
15 it shall direct that the property mentioned in said application or any part
16 thereof be sold and conveyed by the said board of park commissioners for the
17 use of said park, boulevard, driveway or highway, upon such terms and con-
18 ditions as the said court may think proper.



1. Received from House March 11, 1887, and ordered to first reading.
2. First reading March 22, 1887, and ordered to second reading.

A BILL

For An Act entitled "An act to permanently locate the Illinois State Fair."

WHEREAS, the Illinois State Board of Agriculture has passed a resolution
2 unanimously favoring the permanent location of the Illinois State Fair;
3 therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the Illinois State Fair be and the same is*
3 *hereby permanently located at or near the City of Springfield, Sangamon*
4 *County, Illinois, to-wit: On a certain tract of land known as the Sangamon*
5 *County Fair Ground, and described as follows, to-wit: 75.48 acres situated*
6 *on the east half of the southeast quarter of section 15, township 16 north,*
7 *range 5 west of the third principal meridian, and also an 80 acre tract adjoining*
8 *said tract on the west: Provided, that the said land shall be conveyed to the State*
9 *of Illinois without expense to the State of Illinois or to the State Board of*
10 *Agriculture: Provided, however, that nothing herein contained shall prevent the*
11 *State Board of Agriculture from carrying out any contract which may have been*
12 *made for the holding of said Fair, for the next two years, or any shorter period.*

§ 2. All acts or parts of acts inconsistent with this act, are hereby repealed.



1. Received from House April 11, 1887, and ordered to first reading.
2. First reading March 22, 1887, and ordered to second reading.
3. Second reading April 13, 1887, amended, and ordered to third reading.

A BILL

For An Act entitled "An act to permanently locate the Illinois State Fair."

WHEREAS, the Illinois State Board of Agriculture has passed a resolution
2 unanimously favoring the permanent location of the Illinois State Fair;
3 therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the Illinois State Fair be and the same is*
3 *hereby permanently located at or near the City of Springfield, Sangamon County,*
4 *Illinois, to-wit: On a certain tract of land known as the Sangamon County*
5 *Fair Ground, and described as follows, to-wit: 75.48 acres situated on the east*
6 *half of the southeast quarter of section 15, township 16 north, range 5 west*
7 *of the third principal meridian, and also an 80 acre tract adjoining said tract*
8 *on the west: Provided, that the said land shall be conveyed to the State of*
9 *Illinois without expense to the State of Illinois or to the State Board of*
10 *Agriculture: Provided, however, that nothing herein contained shall prevent*
11 *the State Board of Agriculture from carrying out any contract which may*
12 *have been made for the holding of said Fair, for the next two years, or any*
13 *shorter period.*

§ 2. All acts or parts of acts inconsistent with this act, are hereby repealed.

SENATE AMENDMENTS ADOPTED BY THE SENATE APRIL 13, 1887

Amend the title of the bill by adding the following: "At four places."

2 Amend the preamble by adding after the word "fair," in line two, the fol-
3 lowing: "At four places."

4 Amend section one of the bill by striking out all after the word "that," in
5 line two, and insert in lieu thereof the following: "The State Board of Agri-
6 culture are hereby authorized and directed to locate the State Fair and hold
7 its exhibitions for the year 1889, and every fourth year thereafter, at or near
8 the City of Peoria, Peoria County; and for the year 1890, and every fourth
9 year thereafter, at or near the City of Chicago, Cook County; and for the year
10 1891, and every fourth year thereafter, at or near the City of Centralia, Marion
11 County; and for the year 1892, and every fourth year thereafter, at or near
12 the City of Decatur, Macon County; the location to be made and entered upon
13 the records of the proceedings of the Board, at each of the said localities
14 whenever the representatives of such locality shall donate to said Board, by
15 written contract, the use of such lands as shall be sufficient in extent and suit-
16 able for the use of such Board for such fair grounds so long as the fair shall
17 be located upon the same and its quadrennial exhibitions held thereon, accord-
18 ing to the provisions of this act. The State Board of Agriculture are hereby
19 authorized to receive donations from, and to make all necessary contracts with
20 the representatives of each locality in any matter or matters in anywise per-
21 taining to the State Fair."

1. Introduced by Mr. Darnell March 3, 1887.
2. First reading March 3, 1887, and referred to Committee on License and Miscellany.
3. Reported back March 25, passage recommended and ordered to second reading.

A BILL

For An Act to amend section seven (7) of an act entitled, "An act to revise the law in relation to Weights and Measures," approved February 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seven (7) of an act entitled "An act to revise the law in relation to Weights and Measures," approved February 27, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 7. Whenever any of the following articles shall be contracted for or sold or delivered, and no special contract or agreement shall be made to the contrary, the weight per bushel shall be as follows, to-wit:

	Pounds.
10 Stone Coal	80
11 Unslacked Lime	80
12 Corn in the ear	70
13 Wheat	60
14 Irish Potatoes	60
15 White Beans	60
16 Clover Seed	60
17 Onions	57
18 Shelled Corn	56
19 Rye	56

Pounds.

20	Flax Seed	56
21	Sweet Potatoes	50
22	Turnips	55
23	Fine Salt	55
24	Buckwheat	52
25	Coarse Salt	50
26	Barley	48
27	Corn Meal	48
28	Castor Beans	46
29	Timothy Seed	45
30	Hemp Seed	44
31	Malt	38
32	Dried Peaches	33
33	Oats	32
34	Dried Apples	24
35	Bran	20
36	Blue Grass Seed	14
73	Hair (plastering)	8

(Substitute for Senate Bill No. 104.)

1. Introduced by Judiciary Committee, March 4, 1887, and ordered to first reading.
2. First reading March 4, 1887.
3. March 4, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend chapter 3, section 70, of an act entitled administrator of estates.

SECTION 1. Be it enacted by the People of the State of Illinois, represented

2 *in the General Assembly, That section 70 of an act entitled "An act in regard*
3 *to the administration of estates," approved April 1, 1872, be amended so as to*
4 *read as follows:*

5 "Section 70. All demands against the estate of any testator or intestate
6 shall be divided into classes in manner following, to-wit:

7 *First*—Funeral expenses.

8 *Second*—Widow's award if there is a widow or children if there are
9 children and no widow:

10 *Third*—Expenses attending the last illness not including physician's bill.

11 *Fourth*—Debts due the common school or township fund.

12 *Fifth*—All expenses of proving the will and taking out letters testamentary
13 or of administration and settlement of the estate and the physician's
14 bill in the last illness of the deceased.

15 *Sixth*—Where the decedent has received money in trust for any purpose
16 his executor or administrator shall pay out of his estate the amount thus
17 received and not accounted for; the wages due a servant or laborer for
18 labor performed for decedent within six months previous to death.

19 *Seventh*—All other debts and demands of whatsoever kind without regard
20 to quality or dignity which shall be exhibited to the court within two years
21 from the granting of letters as aforesaid, and all demands not exhibited
22 within two years as aforesaid shall be forever barred, unless the creditors
23 shall find other estates of the deceased not inventoried or accounted for
24 by the executor or administrator, in which case their claims shall be paid
25 pro rata out of such subsequently discovered estate, saving, however, to
26 *femes covert* infants, persons of unsound mind or imprisoned or without the
27 United States in the employment of the United States or of their State,
28 the term of two years after their respective disabilities are removed to
29 exhibit their claims."

(Substitute for Senate Bill No. 104.)

1. Introduced by Judiciary Committee, March 4, 1887, and ordered to first reading.
2. First reading March 4, 1887.
3. March 4, 1887, passage recommended, and ordered to second reading.
4. Second reading March 26, 1887, amended, and ordered to third reading.

A BILL.

For An Act to amend section 70, of an act entitled "An act in regard to the administration of estates" approved April 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 in the General Assembly, That section 70 of an act entitled "An act in regard
3 to the administration of estates," approved April 1, 1872, be amended so as
4 to read as follows:

5 "Section 70. All demands against the estate of any testator or intestate
6 shall be divided into classes in manner following, to-wit:

7 First—Funeral expenses.

8 Second—Widow's award if there is a widow, or children if there are chil-
9 dren and no widow.

10 Third—Expenses attending the last illness, not including physician's bill.

11 Fourth—Debts due the common school or township fund.

12 Fifth—All expenses of proving the will and taking out letters testamen-
13 tary or of administration and settlement of the estate, and the physician's
14 bill in the last illness of the deceased.

15 Sixth—Where the decedent has received money in trust for any purpose,
16 his executor or administrator shall pay out of his estate the amount thus

17 received and not accounted for; the wages due a servant or laborer for
18 labor performed for decedent within six months previous to death.

19 *Seventh*—All other debts and demands of whatsoever kind without regard
20 to quality or dignity which shall be exhibited to the court within two years
21 from the granting of letters as aforesaid, and all demands not exhibited
22 within two years as aforesaid shall be forever barred, unless the creditors
23 shall find other estates of the deceased not inventoried or accounted for
24 by the executor or administrator, in which case their claims shall be paid
25 pro rata out of such subsequently discovered estate, saving, however, to
26 *femes covert*, infants, persons of unsound mind or imprisoned, or without
27 the United States, in the employment of the United States or of their State,
28 the term of two years after their respective disabilities are removed to
29 exhibit their claims."

1. Received from House April 8, 1887, and ordered to first reading.
 2. First reading April 8, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to amend article nine of an act entitled "An act to provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872, by adding thereto the following sections:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That article nine of an act entitled "An act to provide
3 for the Incorporation of Cities and Villages," approved April 10, 1872, in force
4 July 1, 1872, be and the same is hereby amended by adding thereto the fol-
5 lowing sections, viz.:

6 "Section 55. That the amount of any special assessment for any local
7 improvement in any city, incorporated town or village may be divided into
8 installments, when so provided by the ordinance providing for the said im-
9 provement, the first of which shall not exceed the sum of twenty-five per
10 cent of the total of said assessment, and which shall be due and payable
11 from and after confirmation of said assessment. The remaining portion of
12 said assessment, after deducting the said first installment, shall be divided
13 into four equal annual installments, which said installments shall be payable
14 annually thereafter, and collected in the same manner that other assessments
15 are now collected. Each of said four last named installments shall bear interest
16 at the rate of six per cent. per annum from and after the first day of July
17 next succeeding the confirmation of said assessment: *Provided*, that when said
18 confirmation shall not be had before the first day of March in any year that
19 said four last named installments shall not bear interest until the first day of

20 July in the following year after the said confirmation: *Provided*, that in cities
 21 containing a population of fifty thousand or more this and the following
 22 sections shall not apply except in cases where any such special assessments
 23 shall exceed in the aggregate the sum of fifteen thousand dollars.

24 "Section 56. That any installment or installments which may be assessed
 25 against any tract, lot, block or piece of land may be paid at any time before
 26 maturity, in which case interest shall be charged only to the time of pay-
 27 ment, and upon such payment the property for which said payment is made
 28 shall be discharged from the lien to the extent of such payment.

29 "Section 57. Whenever any city, incorporated town or village desires to
 30 make the collection of any special assessment, as aforesaid, by installments
 31 under the provision of this act, the ordinance providing for said improve-
 32 ment shall also state that the same shall be collected by installments, and
 33 fix the amount of the first installment.

34 "Section 58. Upon the assessment roll to be returned by the commis-
 35 sioners shall be designated, in appropriate columns, first the amount of each
 36 installment, second the total amount of the assessment, which said items
 37 shall be carried out and set opposite each tract, lot or piece of property so
 38 assessed.

39 "Section 59. The notice to be given by the collector as now provided for
 40 by law when the assessment is under the provisions of this act, in addition
 41 to what is now required shall contain the amount of each installment, the
 42 rate of interest deferred installments bear, the date of payment and that the
 43 whole of said assessment, or any installment thereof, may be paid at any
 44 time at the option of the owner or owners of said lot, block, piece or tract.

45 "Section 60. The order of confirmation that shall be entered upon the
 46 return of any such assessment roll shall apply to all of the installments
 47 thereof, and may be entered in one order.

48 "Section 61. The warrant for the collection of any such special assess-
 49 ment to be made hereunder shall contain a copy of such certificate of the
 50 judgment, describing the lots, blocks, tracts or parcels of lands assessed and

51 the respective amounts assessed upon each lot, tract, piece or parcel of land,
52 and the year in which each installment is payable.

Section 62. Proceedings for judgment and sale against lots, tracts, pieces
and parcels of land for which the assessment has not been paid shall be had
in the same manner as now provided upon each installment in the respective
years in which they become due and payable, and the laws now in force in
so far as they are applicable shall apply.

Section 63. Payment for any improvement done or performed under the provisions of this act shall be made in the following manner: From the amount of the first payment, when it shall be collected, shall first be paid all the costs of making the said assessment, including court costs. The remainder of said payment shall then be paid to the person or persons entitled thereto on the contract for said work. The amount remaining due upon the contract for said improvement shall then be divided into four equal parts; and the authorities of any city, incorporated town or village shall issue a voucher to the person or persons entitled thereto for each part payable in the same order and manner that the installments are payable, and said vouchers shall bear the same rate of interest per annum that the said installments bear. Said vouchers shall be made payable to the order of the person or persons entitled thereto, and state the improvement and the installment for which they are issued. They shall also contain the following: In consideration of the issuing of this voucher, I hereby for _____, _____, heirs, executors, administrators and assigns, accept the same in full payment of the amount herein stated, and relinquish any and all claims or liens I may have against the _____ city, incorporated town or village of _____, for the work mentioned herein, or for the payment of this voucher, except from the collection of the installment herein named.

(Signature of person receiving the same.)

79 "Section 64. Any person or persons accepting the vouchers, as provided
80 herein, for work done or performed upon any local or public improvement shall
81 have no claim or lien upon the city, incorporated town or village in any event
82 for the payment of said vouchers or the interest, except from the collection of

83 the installments for which said vouchers are issued, *and provided*, that this
 84 section shall apply to all holders of any of said vouchers, whether the original
 85 contractor or their assigns.

86 "Section 65. If upon the payment of the money and issuance of the vouch-
 87 ers, as provided for in the last section hereof, there shall be any surplus remain-
 88 ing of said special assessment over and above the payment aforesaid, it shall be
 89 the duty of the proper authorities of said city, incorporated town or village to at
 90 once cause the respective installments to be credited with their respective
 91 proportion of said surplus, and in case any person or persons have, before said
 92 credit has been entered, paid his assessment or any part thereof, without
 93 having received the benefit of said credit, the proper authorities shall at
 94 once cause notice of such over-payment to be sent by mail to the person by
 95 whom such over-payment was made, and upon proper proofs the same shall
 96 be re-paid.

97 "Section 66. In case said special assessment shall be made for the pur-
 98 pose of paying the compensation awarded for the taking or damaging of
 99 private property for public use, payments may be made as provided herein,
 100 in the case of contracts let and the acceptance by the owner of any lot,
 101 piece or tract taken or damaged of the vouchers issued shall be deemed pay-
 102 ment to said owner or owners of said compensation, and upon proof thereof,
 103 an order of possession may be entered, as is now provided: *Provided*, that
 104 after a special assessment has been confirmed to pay for property taken or
 105 damaged for public use, the city council in cities and the president and board
 106 of trustees in villages may appropriate and advance a sufficient amount to
 107 pay the compensation awarded, or so much of the same as shall not have
 108 been paid by acceptance of vouchers as herein provided. *Provided, however*,
 109 that such appropriation and advancement shall in no way affect the collec-
 110 tion of said assessment, but the same shall be collected in the same manner,
 111 as though said appropriation had not been made: *And, provided, however*,
 112 that when such assessment shall have been collected, that the same, together

113 with the interest thereon, shall be paid into the general fund of said city,
114 incorporated town or village in liquidation of the amount so advanced.

115 "Section 67. In all cases where special assessments shall have been made,
116 but not confirmed, it shall be lawful for any city, incorporated town or
117 village, through its legislative body, to provide by ordinance that said assess-
118 ment may be collected by installments, under the provisions of this act.

119 "Section 68. It is hereby declared that an emergency exists, and there-
120 fore this act shall be in force from and after its passage."



1. Introduced by Mr. Crawford, March 8, 1887, and ordered to first reading.
2. First reading March 8, 1887, and referred to Committee on Judiciary.
3. Reported back March 9, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections 59 and 60 of the act entitled "An act to revise the law in relation to Counties," approved March 31, 1874, as amended by the act of May 20, 1879

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections 59 and 60 of the act entitled "An
3 act to revise the law in relation to Counties," approved March 31, 1874,
4 as amended by the act of May 20, 1879, in force July 1, 1879, be and the
5 same is hereby so amended as to read as follows:

6 "Section 59. On Tuesday after the first Monday of November, A. D.,
7 1887, there shall be elected by the legal voters of Cook county, fifteen
8 commissioners, who shall hold their office for the term of one year. And
9 on Tuesday after the first Monday in November, A. D., 1888, and every
10 two years thereafter, the legal voters of Cook county shall elect fifteen
11 commissioners, who shall hold their office for the term of two years. Ten
12 of said commissioners shall be elected from the city of Chicago by the
13 legal voters of said city, and five of said commissioners shall be elected
14 from the towns outside of said city by the legal voters of said towns.

15 "Section 60. The terms of office of said commissioners shall begin on

16 the first Monday of December after their election, and they shall hold
17 their office, respectively, until their successors are elected and qualified.
18 Each of the commissioners shall have been a resident of said county for
19 five years next preceding his election.

1. Introduced by Mr. Crawford, March 8, 1887, and ordered to first reading.
2. First reading March 8, 1887, and referred to Committee on Judiciary.
3. Reported back March 9, 1887, passage recommended and ordered to second reading.
4. Second reading April 9, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend sections 59 and 60 of the act entitled "An act to revise the law in relation to Counties," approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto, to be known as section 59½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections 59 and 60 of the act entitled "An
3 act to revise the law in relation to Counties," approved March 31, 1874, as
4 amended by the act of May 20, 1879, in force July 1, 1879, be and the
5 same is hereby so amended as to read as follows:

6 Section 59. On Tuesday after the first Monday of November, A. D., 1887,
7 there shall be elected by the legal voters of Cook county, fifteen commis-
8 sioners, who shall hold their office for the term of one year. And on Tuesday
9 after the first Monday in November, A. D., 1888, and every two years there-
10 after, the legal voters of Cook county shall elect fifteen commissioners, who
11 shall hold their office for the term of two years. Ten of said commissioners
12 shall be elected from the city of Chicago by the legal voters of said city, and
13 five of said commissioners shall be elected from the towns outside of said city
14 by the legal voters of said towns.

15 Section 59½. Every legal voter in said county may vote for and designate
16 upon his ballot cast for county commissioners one of the candidates for com-
17 missioner to be president of the county board, and the person who shall

18 receive the highest number of such votes shall be declared elected president
19 of said board.

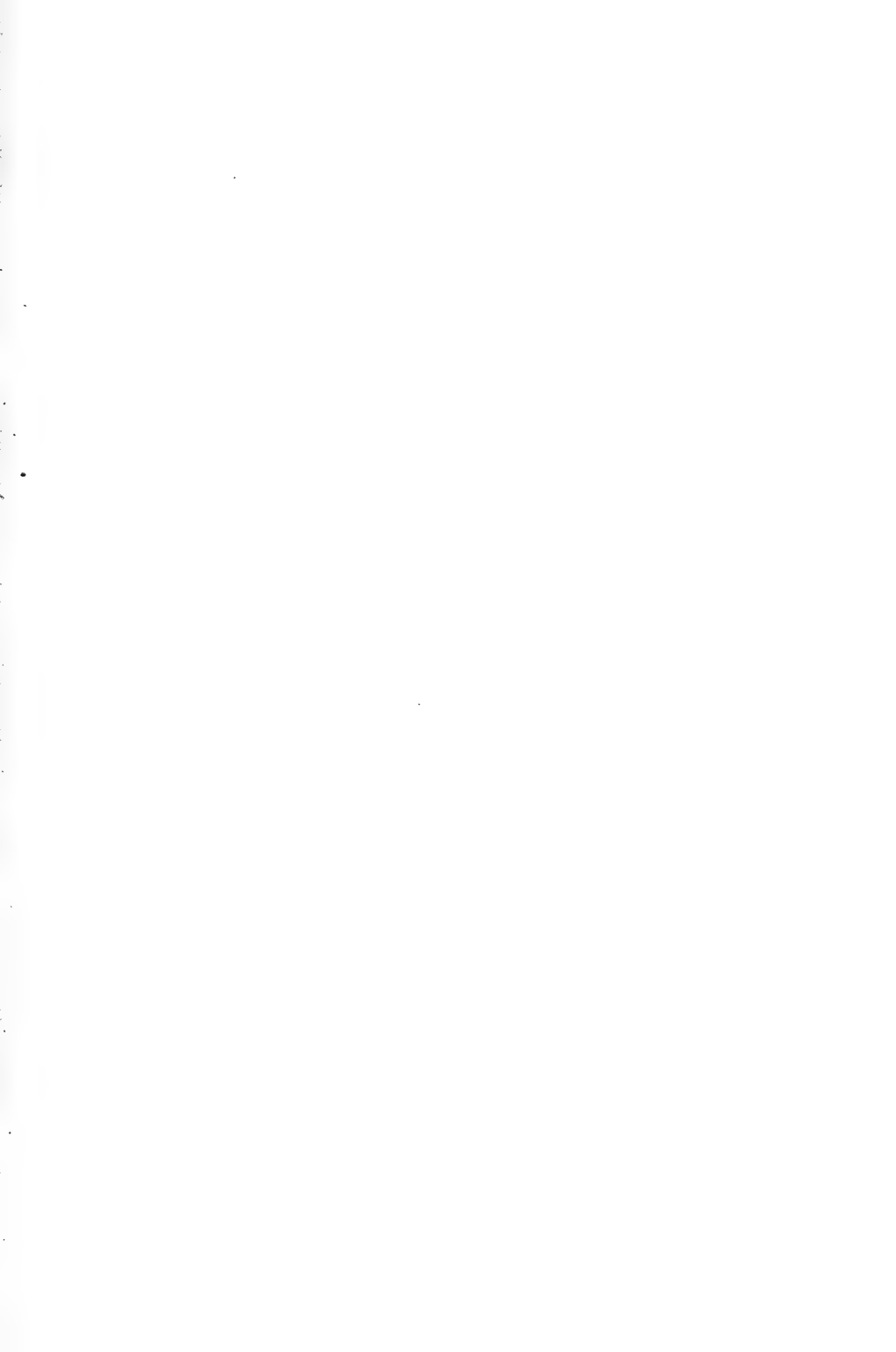
20 "Section 60. The terms of office of said commissioners shall begin on the
21 first Monday of December after their election, and they shall hold their office
22 respectively, until their successors are elected and qualified. Each of the
23 commissioners shall have been a resident of said county for five years next
24 preceding his election.

1. Introduced by Mr. Cochran, March 8, 1887, and ordered to first reading.
2. First reading March 8, 1887, and referred to Committee on Judicial Department.
3. Reported back March 18, 1887, passage recommended and ordered to second reading.

A BILL

For An Act relating to telegraph, telephone and electric light and other wires,
poles and cables.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* Whenever any wire, pole or cable used for **any**
3 telegraph, telephone, electric light or other electric **purpose**, or for the purpose
4 of communication is, or shall be attached to, or does or shall extend upon or
5 over any building or land, no lapse of time whatever shall raise a presumption
7 of any grant of, or justify a prescriptive right to such **attachment** or **extension**.



1. Received from House May 6, 1887, and ordered to first reading.
2. First reading May 23, 1887, and ordered to second reading without reference.

A BILL

For An Act to extend the powers of the City Council in cities, and the President
and Board of Trustees in villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the City Council, in cities, and the President
3 and Board of Trustees, in villages and incorporated towns, shall have power
4 to license, tax, regulate, suppress or prohibit itinerant merchants and transient
5 vendors of merchandise.

(Substitute for Senate No. 225.)

1. Introduced by Committee on Insurance, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887.
3. Passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections ninety-one and ninety-four of an act entitled, "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by an act approved May 11, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That sections 91 and 94 of an act entitled, "An act to
3 revise the law in relation to township insurance companies," approved March 24,
4 1874, in force July 1, 1874, as amended by an act approved May 11, 1877, in
5 force July 1, 1877, be amended so as to read as follows:
6 "Section 91. Such companies may issue policies only on detached dwell-
7 ings, barns (except livery, boarding and hotel barns) and other farm buildings,
8 school houses and churches, and such property as may be properly contained
9 therein, for any time not exceeding five years, and not to extend beyond the
10 limited duration of the charter, and for an amount not to exceed three
11 thousand dollars on any one risk. All persons so insured shall give their
12 obligations to the company, binding themselves, their heirs and assigns, to
13 pay their pro rata share to the company of the necessary expense, and of
14 all losses by fire, or lightning, which may be sustained by any member
15 thereof during the time for which their respective policies are written, and
16 they shall also, at the time of effecting the insurance, pay such percentage

17 in cash, and such other charge as may be required by the rules and by laws
18 of the company."

19 "Section 94. Every member of such company who may sustain loss or
20 damage by fire or lightning shall immediately notify the president of such
21 company, or in his absence, the secretary thereof, stating the amount of
22 damages or loss claimed, and if not more than one hundred dollars \$100, then
23 the president and secretary shall proceed to ascertain the amount of such
24 loss or damage, and adjust the same. If the claim for damage or loss shall
25 be an amount greater than one hundred dollars \$100, then the president of
26 such company, or in case of his absence the secretary thereof, shall forthwith
27 convene the directors of such company, whose duty it shall be when convened
28 to appoint a committee of not less than three members of such company to
28 ascertain the amount of such damage or loss, the claimant may appeal to
29 the judge of the county court, of the county in which the office of the
30 company is located, whose duty it shall be to appoint three persons as a
31 committee of reference, who shall have full authority to examine witnesses
32 and to determine all matters in dispute, and shall make and award in
33 writing to the president of such company, and such award shall be final.
34 the pay of said committee shall be two dollars (\$2.00) per day for each
35 day's service so rendered, and four cents for each mile necessarily traversed
36 in the discharge of their duties, which shall be paid by the claimant,
36 unless the award of said committee shall exceed the sum offered by the
37 company in liquidation of such loss or damage, in which case said expenses
68 shall be paid by the company."

(Substitute for Senate No. 225.)

1. Introduced by Committee on Insurance, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887.
3. Passage recommended, and ordered to second reading.
4. Second reading March 18, 1887, amended and ordered to third reading.

A BILL

For An Act to amend sections eight and eleven of an act entitled, "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by an act approved May 11, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections eight and eleven of an act entitled,
3 "An act to revise the law in relation to township insurance companies,"
4 approved March 24, 1874, in force July 1, 1874, as amended by an act approved
5 May 11, 1877, in force July 1, 1877, be amended so as to read as follows:
6 "Section 8. Such companies may issue policies only on detached dwellings,
7 barns except livery, boarding and hotel barns and other farm buildings,
8 school houses and churches, and such property as may be properly contained
9 therein, for any time not exceeding five years, and not to extend beyond the
10 limited duration of the charter, and for an amount not to exceed three
11 thousand dollars on any one risk. All persons so insured shall give their
12 obligations to the company, binding themselves, their heirs and assigns, to pay
13 their pro rata share to the company of the necessary expenses, and of all
14 losses by fire, or lightning, which may be sustained by any member thereof
15 during the time for which their respective policies are written, and they shall

16 also, at the time of effecting the insurance, pay such percentage in cash, and
17 such other charge as may be required by the rules and by-laws of the
18 company."

19 "Section 11. Every member of such company who may sustain loss or
20 damage by fire or lightning shall immediately notify the president of such
21 company, or in his absence, the secretary thereof, stating the amount of
22 damages or loss claimed, and if not more than one hundred dollars (\$100)
23 then the president and secretary shall proceed to ascertain the amount of such
24 loss or damage, and adjust the same. If the claim for damage or loss shall
25 be an amount greater than one hundred dollars (\$100), then the president of
26 such company, or in case of his absence, the secretary thereof, shall forthwith
27 convene the directors of such company, whose duty it shall be when convened
28 to appoint a committee of not less than three members of such company to
29 ascertain the amount of such damage or loss; the claimant may appeal to the
30 judge of the county court of the county in which the office of the company
31 is located, whose duty it shall be to appoint three persons as a committee of
32 reference, who shall have full authority to examine witnesses and to determine
33 all matters in dispute, and shall make and award in writing to the president
34 of such company, and such award shall be final; the pay of said committee
35 shall be two dollars (\$2.00) per day for each day's service so rendered, and
36 four cents for each mile necessarily traversed in the discharge of their duties,
37 which shall be paid by the claimant, unless the award of said committee
38 shall exceed the sum offered by the company in liquidation of such loss
39 or damage, in which case said expenses shall be paid by the company.

1. Introduced by Mr. Adams, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Appropriations.
3. Reported back March 6, 1887, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act for the payment to Samuel Stewart for services rendered by himself and teams, in the organization of the 56th Regiment of the Illinois Volunteers, in the years 1861 and 1862.

WHEREAS, Robert Kirkham, Colonel of the 56th Regiment Illinois Volunteers did employ Samuel Stewart and team at the rate of two dollars per day, to haul commissaries while said Regiment was being organized at Shawneetown, Illinois, and to do such other work as was required of him the said Samuel Stewart in and about the organization of said regiment; and

WHEREAS, the said Samuel Stewart did perform said services under said contract from the 6th day of December, 1861, to the 21st day of February, A. D. 1862, for which service said Samuel Stewart has not been paid; and

WHEREAS, there is now justly due the said Samuel Stewart, the sum of one hundred and fifty-four dollars for said service, together with six per cent, per annum, thereon from the 21st day of February, A. D. 1862; Therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of three hundred and eighty-five dollars and twenty-five cents, (\$385.25), be and the same is hereby appropriated out of any moneys now in the treasury not otherwise appropriated, for the purpose of paying said Samuel Stewart, the sum due him as aforesaid.*

§ 2. The Auditor of Public Accounts is hereby authorized and directed
to draw his warrant upon the State Treasurer for said sum in favor of,
and payable to the order of the said Samuel Stewart.

AMENDMENT PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 310.

Amend lines 20 and 21, by striking out the following words and figures,
viz: "Three hundred and eighty-five dollars and twenty-five cents, (\$385.25),"
and insert the following words and figures, "one hundred and thirty-six
dollars and fifty cents, (\$136.50)" in lieu thereof.

-
2. Introduced by Mr. Bell, March 9, 1887, and ordered to first reading.
 1. First reading March 9, 1887, and referred to Committee on Insurance.
 3. Reported back March 16, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend an act entitled "An act to organize and regulate the business of Life Insurance," approved March 26, 1869, by adding five additional sections thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act to organize and regulate
3 the business of Life Insurance," approved March 26, 1869, be amended by
4 adding immediately after section one of said act the following sections:

5 "Section 1. a. Any number of persons, not less than nine, may organize
6 an incorporated company to make insurance upon the lives of persons, and
7 every insurance pertaining thereto, or connected therewith, and to grant or
8 dispose of annuities.

9 "Section 1. b. The persons proposing to organize shall be designated as
10 corporators, and they shall file with the State Auditor a declaration signed by
11 each of the corporators setting forth their intentions to form a company for
12 the purposes named in this act, which declaration shall comprise a copy of
13 the charter they propose to adopt and the said charter shall set forth the
14 name of the company, the place where it is to be located, the mode and
15 manner in which the corporate powers of the company are to be exercised,
16 the manner of electing the trustees or directors and officers, a majority of
17 whom shall be citizens of this State, at the time of such election; the manner

18 of filling vacancies; the amount of capital stock, and such other particulars as
19 may be necessary to explain and make manifest the objects and purposes of
20 the company, and the manner in which it is to be conducted. On the filing
21 of such declaration as aforesaid, the Auditor shall submit the same to the
22 Attorney General for examination; and if found by him to be in accordance
23 with the provisions of this act, and not inconsistent with the laws and con-
24 stitution of this State and the United States, he shall certify to the same and
25 deliver it back to the Auditor, who shall cause said declaration, with the cer-
26 tificate of the Attorney General, to be recorded in a book to be kept for that
27 purpose, and he shall furnish a certified copy of such declaration and cer-
28 tificate to the corporators.

29 "Section 1. c. Whenever the corporators, who shall have received from
30 the Auditor such certified copy, and shall have published the same in a news-
31 paper published in the county in which such insurance company is proposed
32 to be located, they may open books to receive subscriptions to the capital
33 stock, and shall keep such books open until the amounts required are sub-
34 scribed and shall proceed to collect in such capital and complete the organ-
35 ization."

§ 2. And said act shall be further amended by adding immediately after
2 section two the following sections:

3 "Section 2. a. Whenever the corporators shall have fully organized such com-
4 pany, and the said company shall have deposited with the Auditor the
5 required amount of capital, it shall become his duty to furnish the corporators
6 with a certificate of deposit, which, with the certified copy of said declaration,
7 previously received from the Auditor, when filed for record in the office of the
8 recorder of deeds in the county where such company is to be located, shall
9 be the authority to commence business and issue policies, and the same or a
10 certified copy thereof, shall be evidence in all suits.

11 "Section 2. b. The corporators, or the trustees or directors, as the case
12 may be, of any company organized under this act, shall have power to make
13 such by-laws, not inconsistent with the constitution and laws of this State,

14 as may be deemed necessary for the government of the officers and the conduct
15 of its affairs, and the same when necessary, to alter or amend, and they and
16 their successors may have a common seal, and may change and alter the
17 same at their pleasure, and such company, in its corporate name, may sue
18 and be sued, may own so much real and personal estate as shall be necessary
19 for the transaction of its business, and may sell and dispose of the same when
20 deemed necessary, but all real estate acquired through the collection of debts
21 shall not be held longer than five years. Each stockholder of any company
22 organized under this act shall, in his individual capacity, be severally liable
23 for all debts of such company to the amount of his unpaid stock.

•



1. Introduced by Mr. Berggren, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act to provide for the election and appointment of the officers and employes of the General Assembly of the State, and to fix their compensation," approved May 28, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eleven (11) of an act entitled "An act to provide for the election and appointment of the officers and employes of the General Assembly of the State, and to fix their compensation," approved May 28, 1887, in force July 1, 1877, be and it is hereby amended so as to read as follows:

"Section 11. No other officer or employe, not designated in this act, shall be employed by either branch of the General Assembly, except by a two-thirds vote of the members elected to that branch of the General Assembly desiring such additional officers or employes; which vote shall be taken by yeas and nays."

1. Introduced by Mr. Crawford, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Municipalities.
3. Reported back March 15, passage recommended and ordered to second reading.

A BILL

For An Act to confer additional authority upon the corporate authorities of public parks, in promoting scientific investigations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the corporate authorities of public parks, by whatever name designated, are hereby authorized and empowered to set apart and appropriate so much or such parts of said parks, or of any of them, as may, in their judgment, be expedient, desirable, or necessary for botanical gardens, astronomical observatories, or other scientific associations and their appendages and connections, and give the exclusive management and control of the same to such botanical societies, astronomical societies, and associations as they may designate, as the case may be, in perpetuity, only providing for the continued maintenance of such gardens or observatories; and such corporate authorities may make, from time to time, such appropriations for establishing and maintaining the same, and such regulations for their protection, as they may deem for the public interest, or the advancement of scientific knowledge or the promotion of the general welfare.

1. Introduced by Mr. Hadley, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Elections.
3. Reported back March 18, 1887, with amendments, passage recommended and ordered to second reading.

A BILL

For an act to amend sections three (3) and seven (7) of article seven of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections three (3) and seven (7) of article
3 seven (7) of an act entitled "An act to revise the law in relation to township
4 organization," approved and in force March 4, 1874, be and the same are
5 hereby amended so as to read as follows:

6 "Section 3. The moderator so chosen shall have the same power and be
7 subjected to the same penalties as other judges of election, such moderators,
8 the supervisor and assessor of the town shall be *ex-officio* judges of all elections
9 held at the time of the annual or special town meetings.

10 Section 7. The town shall supply a suitable ballot box or boxes to be kept
11 and used in like manner as ballot boxes in other elections. Incorporated
12 towns or incorporated villages whose limits are coextensive with the limits of
13 a town; or in any organized town where the number of voters at the last
14 preceding general election exceeded three hundred, the county board may
15 require one or more additional ballot boxes and places for the reception of
16 votes to be provided, which places shall be selected with reference to the
17 convenience of the electors of the town, and shall designate at which of said
18 polling places the town clerk shall act as clerk of election; and such polling

19 place, when so designated, shall be the place for transacting the miscellaneous
20 business of the town. And when several places are so provided, the electors
21 present shall choose from their number three assistant judges and one assist-
22 ant clerk for each additional ballot box, to receive the votes therein, who
23 shall take the same oath, and be subject to the same penalties as other
24 judges of election, and shall be under the direction of the moderator, super-
25 visor and assessor. At the closing of the polls all the said ballot boxes shall
26 be brought together at the polling place where the town clerk acts as clerk of
27 the election, and the votes shall be canvassed at the same time and in the
28 same manner, and return thereof made the same as if all the votes had been
29 cast in the same ballot box. When there shall be more than one polling
30 place designated in such towns, the general meeting for the transaction of
31 business shall be held at the time hereafter mentioned at the polling place
32 where the town clerk acts as clerk of the town election; or, if there be no
33 town clerk, then at such place as shall be designated by the county clerk.
34 And it shall be the duty of the town clerk, or if there be no town clerk
35 it shall be the duty of the county clerk to post up in three of the most
36 public places in the town, a notice of each of the places in the town
37 where the county board have directed and required the election to be held:
38 *Provided, however,* that in towns that lie wholly within the limits of an
39 incorporated city, the common council of such city shall divide each of
40 such towns into election precincts, and designate the voting places in such
precincts; and any elector in such towns shall be entitled to vote for town
officers only in the precinct in which he may reside. The common council
of such city shall also appoint three judges of election for each of such
precincts, who may be the same persons as are appointed as judges for an
election for city officers held on the same day. Such judges of election
may choose two clerks of election for each precinct, and such judges and
clerks shall take the oath of office now prescribed by the general election
law of the State. The ballots cast at such election for town officers shall
be deposited in a separate ballot box, and shall be counted and canvassed
by the judges of election separately from any other ballots that may be

41 cast at any other election that may be held on the same day. Said judges
42 of election shall cause to be kept a separate poll list which shall contain
43 the names of all persons voting at such election for town officers, together
44 with their residence. And immediately upon closing the polls they shall
45 canvass the votes polled in the manner provided by the general election law
46 of the State, and make a written statement or certificate of the number
47 of votes cast at such election for each person voted for, and the office for
48 which such person received such votes, and shall, within forty-eight hours
49 thereafter, cause such certificate and the poll list, together with the ballots
50 cast at such election, to be separately sealed up and transmitted to the
51 clerk of the town. The supervisor, together with the assessor and collector,
52 shall, within five days thereafter, meet and canvass said returns and declare the
53 result of said election. The town meetings to be held in such towns for the
54 transaction of town business, as now provided by law, shall be held at two
55 o'clock in the afternoon of said day at such voting place in such town as the
56 common council of such city may designate, at which meeting a moderator
57 shall be chosen to preside, by the electors present, and the town clerk shall
58 act as clerk of said meeting, and shall keep a record of the proceedings thereof."

AMENDMENTS PROPOSED BY COMMITTEE ON ELECTIONS.

Amend the title by adding thereto the following: "As amended by an act
2 approved June 27, 1885, in force July 1, 1885."

3 Also amend by inserting after "1874" in line twelve of the first page of
4 written bill, the following: "As amended by an act approved June 27, 1885,
5 in force July 1, 1885."

6 Amend by striking out all between the word "held" in line five on third
7 page of written bill, and the word "such" in line eighteen (18) on same page
8 and insert in lieu thereof the following: "*Provided, however,* that in towns
9 which lie wholly within the limits of an incorporated city, and in any town
10 whose territorial limits are co-extensive with the territorial limits of any

11 incorporated city, village or incorporated town, the common council of such
12 city, or the board of trustees of such village or incorporated town, shall divid
13 such towns into election precincts, and designate the voting places in each
14 precinct, and any elector in such towns shall be entitled to vote for town
15 officers only in the precinct in which he may reside. The common council of
16 such city, or the board of trustees of such village, or incorporated town shall
17 also appoint three judges of election for each of such precincts, who may be
18 the same persons as are appointed as judges for an election for city or village
19 officers held on the same day."

20 Also amend by inserting after the word "city" in line twenty-one of the
21 last page of the written bill the following: "or the board of trustees of such
22 village or incorporated town."

1. Introduced by Mr. Hadley, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Elections.
3. Reported back March 18, 1887, with amendments, passage recommended and ordered to second reading.
4. Second reading April 8, 1887, amended and ordered to third reading.

A BILL

For An Act to amend sections three (3) and seven (7) of article seven of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended by an act approved June 27, 1885, in force July 1, 1885.

1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That sections three (3) and seven (7) of article
3 seven (7) of an act entitled "An act to revise the law in relation to township
4 organization," approved and in force March 4, 1874, as amended by an act
5 approved June 27, 1885, in force July 1, 1885, be and the same are hereby
6 amended so as to read as follows:

7 "Section 3. The moderator so chosen, the supervisor and assessor of the
8 town shall be *ex-officio* judges of all elections held at the time of the annual
9 or any special town meetings. They shall take an oath faithfully and impar-
10 tially to discharge their duties, and shall have the same powers and be sub-
11 jected to the same penalties as other judges of election. When more than
12 one place is provided in the town for the reception of votes, the said judges
13 shall act at the polling place where the miscellaneous business of the town is
14 transacted. If the supervisor or assessor shall be absent, or shall refuse to
15 act, the electors present shall select some qualified elector to act as judge in

16 place of the one so absent or refusing to act, and the person so chosen shall
17 take the same oath, have the same powers, and be subjected to the same
18 penalties as the other judges.

19 "Section 7. The town shall supply a suitable ballot box or boxes to be kept
20 and used in like manner as ballot boxes in other elections. Incorporated
21 towns or incorporated villages whose limits are coextensive with the limits of
22 a town; or in any organized town when the number of voters at the last
23 preceding general election exceeded three hundred, the county board may
24 require one or more additional ballot boxes and places for the reception of
25 votes to be provided, which places shall be selected with reference to the
26 convenience of the electors of the town, and shall designate at which of said
27 polling places the town clerk shall act as clerk of election; and such polling
28 place, when so designated, shall be the place for transacting the miscellaneous
29 business of the town. And when several places are so provided, the electors
30 present shall choose from their number one assistant moderator, and one assist-
31 ant clerk for each additional ballot box, to receive the votes therein, who
32 shall take the same oath, and be subject to the same penalties as other
33 judges of election, and shall be under the direction of the moderator, super-
34 visor and assessor. At the closing of the polls all the said ballot boxes shall
35 be brought together at the polling place where the town clerk acts as clerk of
36 the election, and the votes shall be canvassed at the same time and in the
37 same manner, and return thereof made the same as if all the votes had been
38 cast in the same ballot box. When there shall be more than one polling
39 place designated in such towns, the general meeting for the transaction of
40 business shall be held at the time hereafter mentioned at the polling place
41 where the town clerk acts as clerk of the town election; or, if there be no
42 town clerk, then at such place as shall be designated by the county clerk.
43 And it shall be the duty of the town clerk, or if there be no town clerk
44 it shall be the duty of the county clerk to post up in three of the most
45 public places in the town, a notice of each of the places in the town
46 where the county board have directed and required the election to be held:

17 *Provided, however,* that the towns which lie wholly within the limits of an
18 incorporated city, and in any town whose territorial limits are co-extensive with
19 the territorial limits of any incorporated city, village or incorporated town, the
20 common council of such city, or the board of trustees of such village or incorpo-
21 rated town, shall divide such towns into election precincts, and designate the vot-
22 ing places in each precinct; and any elector in such towns shall be entitled
23 to vote for town officers only in the precinct in which he may reside. The
24 common council of such city, or the board of trustees of such village or incor-
25 porated town, shall also appoint three judges of election for each of such pre-
26 cincts, who may be the same persons as are appointed as judges of an election
27 for city or village officers held on the same day. Such judges of election
28 may choose two clerks of election for each precinct, and such judges and
29 clerks shall take the oath of office now prescribed by the general election
30 law of the State. The ballots cast at such election for town officers shall
31 be deposited in a separate ballot box, and shall be counted and canvassed
32 by the judges of election separately from any other ballots that may be
33 cast at any other election that may be held on the same day. Said judges of
34 election shall cause to be kept a separate poll list which shall contain the
35 names of all persons voting at such election for town officers, together with
36 their residence. And immediately upon closing the polls they shall canvass the
37 votes polled in the manner provided by the general election law of the State,
38 and make a written statement or certificate of the number of votes cast at
39 such election for each person voted for, and the office for which such person
40 received such votes, and shall, within forty-eight hours thereafter, cause such
41 certificate and the poll list, together with the ballots cast at such election, to
42 be separately sealed up and transmitted to the clerk of the town. The super-
43 visor, together with the assessor and collector, shall, within five days there-
44 after, meet and canvass said returns and declare the result of said election.
45 The town meetings to be held in such towns for the transaction of town busi-
46 ness, as now provided by law, shall be held at two o'clock in the afternoon

77 of said day at such voting place in such town as the common council of such
78 city or incorporated town may designate, at which meeting a moderator shall
79 be chosen to preside, by the electors present, and the town clerk shall act as
80 clerk of said meeting, and shall keep a record of the proceedings thereof.

1. Introduced by Mr. Eckhart, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Military.
3. Reported back March 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act granting consent of the State of Illinois to the acquiring of title by the United States, by purchase or otherwise, of certain real estate in the county of Lake for military purposes, and ceding jurisdiction over the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* The consent of the State of Illinois is hereby
3 given to the acquiring of title by the United States, by purchase or other-
4 wise, of the following described real estate or any portion thereof, situated
5 in the county of Lake: The northeast fractional quarter of section ten (10),
6 township forty-three (43) north, of range twelve (12) east of the third
7 principal meridian; that part of the southeast quarter of said section ten
8 (10) lying east of the public highway known as Waukegan Avenue; that
9 part of the northwest quarter of said section ten (10) lying east of said
10 highway; the west fractional half of section eleven (11) in said township
11 and range; the northwest fractional quarter of section fourteen (14) in said
12 township and range; and the northeast fractional quarter of section fourteen
13 (14) in said township and range.

§ 2. The jurisdiction of the State of Illinois in and over the said property
2 or such part thereof as the United States may so acquire title to, shall
3 be and the same hereby is ceded to the United States, subject to the
4 restrictions hereinafter mentioned.

§ 3. The said consent is given and the said jurisdiction ceded upon the
2 express condition that the State of Illinois shall retain a concurrent juris-
3 diction with the United States in and over the said property so far as that
4 the execution of all civil and criminal processes which may issue under the
5 laws or authority of the State of Illinois shall be allowed thereon on
6 application of the officer of the United States in charge thereof in the
7 same way and manner as if such consent had not been given or jurisdiction
8 ceded, except so far as such processes may affect the real or personal property
9 of the United States.

§ 4. The jurisdiction hereby ceded shall not vest in any respect to any
2 portion of said real estate until the United States shall have acquired the
3 title thereto by purchase or otherwise.

§ 5. The said property, when acquired by the United States, and so long
2 as the same shall remain the property of the United States and be used
3 for public purposes, and no longer, shall be and continue exonerated and
4 discharged from all taxes, assessments and other charges which may be
5 levied or imposed under the authority of this State.

1. Introduced by Mr. Johns, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back March 16, passage recommended and ordered to second reading.

A BILL

For An Act entitled "An act to amend section 118 of an act in regard to roads and bridges in counties under township organization and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section 118 of the act in relation to roads and bridges in counties under township organization be amended so as to read as follows:

"Section 118. Each and every overseer of highways shall be entitled to one dollar and fifty (\$1.50) cents per day for every day he is necessarily employed in the execution of the duties of overseer exceeding the amount of his highway labor and road tax, the number of days to be accounted to and audited by the commissioners of highways. *Provided*, that the number of days to be audited shall be left discretionary with the commissioners of highways."

1. Introduced by Mr. Johns, March 9, 1887, and ordered to first reading.
2. First reading March 9, 1887, and referred to Committee on Roads, Highways and Bridges.
3. Reported back March 16, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two of an act entitled "An act in regard to Roads and Bridges in counties under township organization, and to repeal an act and part of acts therein named," approved June 23, 1883, in force July 1, 1884

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section two of an act entitled "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, be, and the same is hereby amended to read as follows:

"Section 2. The commissioners of highways shall have charge of the roads and bridges of their respective towns, and it shall be their duty to keep the same in repair and to improve them so far as practicable, and to make all bridges and culverts hereafter constructed, or materially repaired, with stringers of sufficient strength to sustain a weight of ten thousand pounds, and placed not farther apart than sixteen inches from center to center of said stringers."

1. Introduced by Mr. Bacon, of Will, March 10, 1887, and ordered to first reading.
2. First reading March 10, 1887, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back April 8, 1887, with amendments, passage recommended, and ordered referred to Committee on Appropriations.
4. Reported back April 22, 1887, with amendments, passage recommended and ordered to third reading.

A BILL

For An Act making appropriations for repairs and improvements in the Illinois State Penitentiary at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 in the General Assembly, That the following sums be, and the same are
3 hereby appropriated for the Illinois State Penitentiary at Joliet, for the pur-
4 poses hereinafter named, and for no other:

§ 2. For painting, relaying floors, repairing walls, roofs, buildings, steam and
2 water pipes, engines, boilers and machinery, and making such other repairs as
3 may be required to keep the buildings, walls, grounds and appurtenances of
4 the said penitentiary in as good condition as they now are, the sum of seven
5 thousand five hundred (\$7,500) dollars per annum, or so much thereof as may
6 be necessary from the first day of July, 1887, to the expiration of the first
7 fiscal quarter after the adjournment of the next General Assembly.

§ 3. For putting in steam pumps, and such pipes and hydrants throughout the
2 yard, as may be necessary to protect the property and buildings of said peni-
3 tentiary from fire, the sum of six thousand (\$6,000) dollars, or so much thereof
4 as may be necessary.

§ 4. For constructing, completing, and furnishing one school building at the
2 end of the east cell house of the said penitentiary, and a similar school building

3 at the end of the west cell house of said penitentiary, according to the plans
 4 and specifications submitted by the commissioners, the sum of fourteen thou-
 5 sand (\$14,000 dollars, or so much thereof as may be necessary.

§ 5. For constructing, seating and furnishing with heating apparatus a chapel,
 2 with seating capacity for fifteen hundred prisoners, with basement story under-
 3 neath the same, to be used as a dining room for prisoners, according to plans
 4 and specifications submitted by the commissioners, the sum of twenty-seven
 5 thousand (\$27,000) dollars, or so much thereof as may be necessary.

§ 6. For purchasing, fitting up and setting five (5) new steel tubular boilers, to
 2 replace the same number of condemned boilers now in use for furnishing nec-
 3 essary steam for cooking, heating, ventilation and motive power in said peni-
 4 tentiary, the sum of ten thousand (\$10,000) dollars, or so much thereof as
 5 may be necessary.

§ 7. For rebuilding the stone portico and entrance to the warden house of said
 2 penitentiary, according to plans and specifications submitted by the commis-
 3 sioners, the sum of seven thousand five hundred dollars, or so much thereof
 4 as may be necessary.

§ 8. The Auditor of Public Accounts is hereby authorized to draw his
 2 warrant upon the State Treasurer for the moneys herein appropriated, upon
 3 the order or the commissioners of said penitentiary, signed by the president
 4 and attested by the secretary, with the seal of the said penitentiary thereto
 5 attached.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIA- TIONS TO SENATE BILL No. 319.

Amend by striking out sections 5 and 7, and change the number of section
 2 6 to 5.

1. Introduced by Mr. Washburn, March 11, 1887, and ordered to first reading.
2. First reading March 11, 1887, and referred to Committee on Municipalities.
3. Reported back March 25, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the regulation and inspection of the sanitary construction and alterations or modifications of buildings in cities and villages, and to secure proper ventilation, plumbing and sewerage systems for habitable buildings, and provide penalties, and for the issuing of injunctions in certain cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly.* It shall be the duty of the architect, owner or other
3 duly authorized person interested in the contemplated erection or alteration of
4 any building, within the corporate limits of any city or village in this State, in
5 which there is established an officer or department of health, to obtain from
6 such officer or department a blank, entitled "Description of Building," and fill
7 the same in a manner fully describing said contemplated building, with its
8 plumbing, sewerage and other sanitary fixtures, and to submit such description to
9 the said officer or department for examination, approval and permanent filing;
10 which approval shall be granted only upon condition that assurance direct and
11 implied is by said owner or said other person given to said officer or department
12 of health that the sanitary conditions of the building will be, when completed, in
13 accordance with this act. And in case the said building, intended to be erected
14 (or extensively modified) be for purposes of habitation, then and in such case a
15 full set of drawings, showing locality and arrangement of plumbing, sewerage

16 and all other sanitary arrangements to be provided in the said intended
17 building, shall by said architect, owner or other authorized person, be sub-
18 mitted to said officer or department for action as above set forth, before any
19 portion or part of the said building shall be commenced or modified.

§ 2. No building permit shall be granted or issued by any officer or building
2 department in such city or village before the approval provided for in section 1
3 of this act is obtained.

§ 3. The person executing the plumbing work, or causing its execution in
2 any such building other than mere repairs, shall, before in any way concealing
3 or allowing such work to be concealed, properly prepare his work for the test
4 hereinafter required, and notify in writing the said officer or department of
5 health to the effect and substance that the said plumbing work is then and
6 there in a state of completion for inspection, and shall allow such officer or de-
7 partment a full day's time after said notice (not including Sunday or holidays)
8 for the proper inspection of and officially testing or passing upon said work. And
9 in case the said department shall be unable to inspect and officially pass upon
10 such work, it shall through its proper officer grant to the person making
11 application for inspection as above, a notification to that effect, but such
12 notification shall in no way be construed into an acceptance of the work
13 aforesaid but must contain the privilege to proceed so that the progress of the
14 whole work may not be retarded.

§ 4. Every habitable building hereafter erected in any such city or
2 village, shall have its ground floor covered with a firm stratum of cement and
3 gravel, or asphaltum concrete, not less than three inches in thickness. Where
4 a space exists between the asphaltum concrete and the bottom of the ground
5 floor joists, the same must be ventilated by dividing flues or other suitable
6 means.

§ 5. A habitable room in any building hereafter erected or remodeled, shall
2 have one or more windows of dimensions not less than one-tenth of the area
3 of floor space of such room, and an open space or light shaft shall be reserved
4 or established for all such windows, which shall have an area that for a

5 building of three stories or less shall equal not less than one-sixth part of the
6 floor area of rooms and public and general halls thereby to be aired and
7 lighted in any one story. Such minimum size of open space or light shaft
8 shall receive or have an increase of five per cent. for each and every addi-
9 tional story of the building.

§ 6. Every skylight hereafter constructed in any such building shall be
2 permanently ventilated through openings of air ducts in or near, and extend-
3 ing at least one foot above its top, and the area of such ventilating openings
4 shall not be less than one twenty-fifth part of the area of skylight opening.
5 When, however, such skylight is over a room controlled by one family or
6 person, the openings may have a valve or other provision whereby the venti-
7 lation may be controlled at pleasure.

§ 7. A habitable room in any building hereafter erected in any such city
2 or village shall be not less than eight feet in height between joists of floor
3 and ceiling, except in case of an attic habitable room, which shall be at least
4 eight feet as aforesaid for not less than one-half of its area. And the floor of
5 a habitable room in any building shall be not more than three feet below the
6 established grade at the curb line of the lot upon which said building is, or
7 is to be erected.

§ 8. Every water-closet room hereafter constructed in any such city or
2 village, shall have permanent automatic ventilation through an independent
3 air shaft not less than four by twelve inches in its cross section, commencing
4 not more than twelve inches above the floor. Such shaft shall extend not less
5 than two feet beyond the surface of the roof and be not below any peak,
6 observatory or other construction upon the roof thereof that may be located
7 within ten feet of such shaft; and such closet or room shall be lighted by a
8 window conforming in size with those provided for habitable rooms, but in no
9 case with an area less than five superficial feet, and such window shall be
10 either in an exterior wall of the building or in a light shaft constructed for the
11 purpose, or in a general light shaft, which said window shall (in last mentioned
12 case) be stationary, and which said "light shaft constructed for the purpose"

13 aforesaid, shall in no case have an area of less than eight superficial feet. In
 14 hotels, however, a water-closet connected with and for the exclusive use of
 15 any apartment may receive its light from said apartment through a stationary
 16 sash.

§ 9. No privy vault of any kind shall hereafter be constructed or allowed
 2 by the owner of any lot of land or building thereon, situated in any such city
 3 or village, to remain in any building, or upon any lot of land adjacent to a
 4 street or alley in which there is a public sewer established in front of or
 5 adjacent to said building or lot.

§ 10. No alterations, additions or modifications which will change or alter
 2 any or all of the sanitary conditions or arrangements in any building erected
 3 or located in any such city or village, shall be made except upon prior
 4 express approval, in writing, of the said officer of the said department of
 5 health. Nor shall any additional structure be erected upon any lot of land
 6 situated within such city or village upon which there is already a building
 7 erected without such approval, and a special permit in writing from said officer
 8 or department.

§ 11. All sewerage pipes hereafter laid in such city or village, shall be laid
 2 with a uniform decline of not less than one-tenth of an inch to the foot, and
 3 there shall be constructed a trap and adjacent air inlet in connection with
 4 the drainage system of each building. Said air inlet shall be located outside
 5 of said building and shall have an effective air inlet space of not less than
 6 twelve square inches. The entire sewerage system in any such buildings
 7 hereafter erected where not of metal shall be of hard-burned, glazed tile pipe
 8 which shall be centrally imbedded in a solid cement grouting or concrete six inches
 9 larger than the outside diameter of such drain, (being three (3) inches larger on
 10 all sides than such drain,) and shall be so constructed as to allow ready and com-
 11 plete inspection at the time of its completion, and all such pipes laid in any
 12 such building, shall be made capable of resisting the water pressure resultant
 13 from filling the said pipes with water to their in-take ends.

§ 12. Metal sewage drains and soil pipes, if not enameled or made of non-
 2 corrosive material, shall be covered inside and outside with a coat of asphal-

3 tum, and all their joints and connections shall be made absolutely air tight
4 by means of molten lead or other metallic substance, and shall be capable of
5 sustaining an internal pressure of not less than fifteen pounds to the square
6 inch of surface.

§ 13. Every soil and every waste pipe hereafter substituted and placed
2 as such in any such city or village shall be of cast-iron, or brass or
3 porcelain (except subordinate, lateral and connecting pipes not exceeding
4 eight feet in length, which may be of lead), and when such pipe is put
5 up for use, it and the joints thereof shall be capable of sustaining an internal
6 pressure of not less than fifteen pounds to the square inch of surface.

§ 14. The in-take ends of all drains and their branches in any building
2 shall be curved to correspond with an inner radius of not less than twelve
3 inches, so as to properly meet the horizontal drain and the perpendicular
4 waste and soil pipe, and form an air-tight connection with them, and a proper
5 hand-hole not less than four (4) inches internal diameter shall be provided,
6 which shall be easily accessible, and have a metallic cap applied in the same
7 manner as required for connecting metal pipes with house drains.

§ 15. The use or construction of any kind of pan water-closet in any
2 building in such city or village is hereby prohibited. All water-closets used
3 in any story of such building or buildings above the basement story shall be
4 constructed so as to be connected with and flushed by means of tank or
5 tanks.

§ 16. No chimney flue or water leader pipe shall be used for conveyance
2 of exhaust steam or for ventilating soil or waste pipe.

§ 17. The work upon sewers and plumbing, before being put in use, shall
2 be prepared and properly closed up by the owner so as to make the testing of
3 the same, to the extent heretofore provided in sections 11, 12 and 18,
4 practicable for the officer of the health department, who shall be notified in
5 the manner provided under section 3, and who shall have the same time as
6 therein also provided to execute the test, and it shall be the duty of the said
7 officer of the department of health to officially test or pass upon the work
8 aforesaid.

§ 18. Every water-closet, sink and other plumbing fixture placed and provided in and for the use of any building hereafter erected in such city or village, shall be connected with the sewer and provided with efficient trap, sufficient to prevent at all times the passage of air through the pipes from the sewer to the said fixtures, and no trap shall be placed and constructed at the foot of any waste, soil or ventilating pipe, and said plumbing or plumbing fixtures and pipes shall be so constructed as to permit at all times, without obstruction, the passage of a current of air from the air inlet mentioned in section 11 of this act, through all pipes last mentioned.

§ 19. Overflow guards or safes to any fixture or fixtures, and all refrigerators, shall have independent waste pipes, and shall not be connected with the drainage system, nor shall any check, waste, sediment or pet cock operating upon supply pipes, nor any overflow pipe from any tank be directly connected with the sewer.

§ 20. No grease-receiving basin or cesspool of any kind shall be constructed and placed for use within the walls of any habitable building hereafter erected within any such city or village, nor shall any grease-receiving basin or cesspool heretofore constructed in any habitable building in such city or village, be allowed to remain thereon or therein longer than thirty days after this act shall go into effect. In all cases when the area of a building erected or to be erected in such city or village, shall occupy the whole of its lot, such grease-receiving basin shall be constructed under the sidewalk or underneath the surface of the alley, if any such there be, adjoining the premises upon which said building is situated.

§ 21. No lead pipe shall, in any building hereafter erected in any such city or village, be connected with an iron pipe except by means of a metallic ferrule.

§ 22. No duct or flue for admitting air to an apparatus intended for warming, shall be concealed below the concrete under the lowest floor of any building, except that the same be laid in dry sand or soil, and be made of impervious and imperishable material, hermetically sealed at the joints.

§ 23. Every soil pipe and waste pipe shall extend through and at least two feet above the highest roof of the building of which it is a part, open and undiminished in size, and no such extended pipe shall have its open top end nearer than ten feet to the window or door of a habitable room; and such pipe shall continue in an upward direction, and no horizontal or nearly horizontal portions of such pipes will be permitted which aggregate portions shall exceed one-half their vertical measurement, and all divergence from a straight line shall be made with curved pipes, and connections with horizontal pipes shall be made with Y-branches of proper size.

§ 24. Said officer, or any duly authorized officer of the said department shall, so far as may be necessary for the performance of his or their said respective duties therein, have the right to enter at any and all reasonable hours in the daytime any building or premises in such city or village.

§ 25. Any person violating any of the provisions of this act, or any said owner or officer who shall neglect or refuse to comply with any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of justice, shall be fined not less than two hundred and fifty dollars, nor more than five hundred dollars; recovery to be had in the name of and for the use of the city in which the offense shall have been committed or incurred.

§ 26. Any person convicted and fined as mentioned in section 25 of this act, who shall for the space of forty-eight hours next ensuing after being so found guilty by said court, fail to comply with the requirements of this act, or any provision or requirement thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of justice, shall be fined in a sum of money not exceeding five hundred dollars.

§ 27. The circuit court of this State and the superior court of Cook county are hereby authorized and required to issue, upon due application of any officer or department mentioned in section 1 of this act, or of his or its duly appointed agents, in the name of said officer or department, an injunction restraining or preventing the use and occupation of any such building or structure which is

6 or shall hereafter be erected, altered or maintained, or the sewerage system of
7 which shall be constructed, altered or maintained (or any portion thereof) used
8 in violation of this act, or any of the provisions thereof.

§ 28. Any and all laws of this State in conflict with this act are hereby
2 repealed.

(Substitute for Senate Bill No. 200.)

1. Introduced by Committee on Municipalities, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and ordered to second reading.

A BILL

For An Act to enable park commissioners to condemn land in certain cases for the purpose of making streets, selected and taken for boulevards, of uniform width and to provide for the payment of the same.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in all cases where any board of park commissioners has selected and taken any street or part thereof under the provisions of an act of the General Assembly entitled, "An Act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof and in that behalf to make and collect a special assessment or special tax on contiguous property;" and any part or portion of said street so selected and taken has not been legally laid out or dedicated to the uniform width of one hundred feet, the said board of park commissioners shall have the power to widen said street or the part of said street so selected and taken to the uniform width of one hundred feet, provided that some portion of each mile of said street or the part thereof so selected and taken shall be of the width of one hundred feet at the time of such selection and taking.

Section 2. Such park commissioners are hereby vested with power to take and acquire title to such pieces or parcels of land as may be necessary for such widening, and may proceed to procure the condemnation of the same in the

4 manner prescribed in the act of the General Assembly entitled, "An Act to
5 provide for the exercise of the right of eminent domain," approved April 10,
6 1872; the provisions of which said act are hereby extended to said park com-
7 missioners.

§ 3. Such park commissioners are hereby authorized to levy, or cause to
2 be levied and collected, a special assessment or special tax upon the contigu-
3 ous property abutting on said street, or part thereof so selected and taken,
4 for the purpose of raising the amount necessary to pay the compensation
5 and damages for the said land necessary to be taken for such widening with-
6 the costs of the proceedings; and to that end they shall have all the power
7 and authority now or hereafter granted to them relative to the levy, assess-
8 ment and collection of taxes or assessments for corporate purposes.

1. Introduced by Mr. Crabtree, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Revenue. Ordered that 1,000 copies be printed for use of Committee.

A BILL

For An Act in relation to the Public Revenue.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That all property in this State, real and personal,*
3 *tangible and intangible, not hereinafter specifically exempted from taxation,*
4 *shall be taxed.*

§ 2. All property described in this section, to the extent herein limited,
2 shall be exempt from taxation, that is to say—

3 *First*—All lands donated by the United States for school purposes, not sold
4 or leased. All public school houses. All property of institutions of learning,
5 including the real estate on which the institutions are located not leased by
6 such institutions or otherwise used with a view to profit.

7 *Second*—All property, including a church site of reasonable size, owned by
8 a church, religious congregation, or religious corporation, and exclusively
9 used for public worship.

10 *Third*—All lands used exclusively as graveyards or grounds for burying the
11 dead.

12 *Fourth*—All unentered government lands; all public buildings or structures
13 of whatsoever kind, and the contents thereof, and the land on which the same
14 are located, belonging to the United States.

15 *Fifth*—All property of every kind belonging to the State of Illinois.

16 *Sixth*—All property belonging to any county, town, village or city, used
 17 exclusively for the maintenance of the poor. All swamp or overflowed lands
 18 belonging to any county, so long as the same remain unsold by such county.
 19 All public buildings belonging to any county, township, city or incorporated
 20 town, with the ground on which such buildings are erected, not exceeding in
 21 any case ten acres.

22 *Seventh*—All property of institutions of purely public charity, when actually
 23 and exclusively used for such charitable purposes, not leased or otherwise
 24 used with a view to profit; and all free public libraries.

25 *Eighth*—All fire engines and other implements used for the extinguishment
 26 of fires, with the buildings used exclusively for the safe keeping thereof, and
 27 the lot of reasonable size on which the building is located, when belonging
 28 to any city, village or town.

29 *Ninth*—All market houses, public squares or other public grounds used ex-
 30 clusively for public purposes. All works, machinery and fixtures belonging
 31 to any town, city or village, and used exclusively for conveying water to
 32 such town, city or village.

33 *Tenth*—All property which may be used exclusively by societies for agri-
 34 cultural and horticultural purposes, and not for pecuniary profit.

RULES FOR VALUING PERSONAL PROPERTY.

§ 3. Personal property shall be valued as follows:

2 *First*—All personal property, except as herein otherwise directed, shall be
 3 valued at its fair cash value.

4 *Second*—Every credit for a sum certain, payable either in money or labor,
 5 shall be valued at a fair cash value, for the sum so payable; if for any
 6 article of property, or for labor or services of any kind, it shall be valued at the
 7 current price of such property, labor or service.

8 *Third*—Annuities and royalties shall be valued at their then present total
 9 value.

10 *Fourth*—The capital stock of all companies and associations now or here-
 11 after created under the laws of this State, except those required to be
 12 assessed by the local assessors, as hereinafter provided, and except the

13 property of insurance, express, telegraph and telephone companies, and
 14 public warehouses, which shall be assessed and taxed according to the
 15 provisions of this act, applicable to said properties, shall be so valued by
 16 the State Board of Equalization as to ascertain and determine, respect-
 17 ively, the fair cash value of such capital stock, including the franchise,
 18 over and above the assessed value of the tangible property of such com-
 19 pany or association. Said board shall adopt such rules and principles for
 20 ascertaining the fair cash value of such capital stock, as to it may seem
 21 equitable and just; and such rules and principles, when so adopted, if
 22 not inconsistent with this act, shall be as binding and of the same effect
 23 as if contained in this act, subject, however, to such change, alteration or
 24 amendment as may be found, from time to time, to be necessary by said
 25 board: *Provided*, that in all cases where the tangible property or capital
 26 stock of any company or association is assessed under this act, the shares
 27 of capital stock of any such company or association shall not be assessed
 28 or taxed in this State. This clause shall not apply to the capital stock, or
 29 shares of capital stock of banks organized under the general banking laws
 30 of this State: *Provided, further*, that companies and associations organized
 31 for purely manufacturing purposes, or for printing, or for publishing of
 32 newspapers, or for the improving and breeding of stock, shall be assessed
 33 by the local assessors in like manner as the property of individuals is
 34 required to be assessed.

PERSONAL PROPERTY—WHEN LISTED.

§ 4. Personal property shall be listed between the first day of May and
 2 the first day of July of each year, when required by the assessor, with refer-
 3 ence to the quantity held or owned on the first day of May, in the year for
 4 which the property is required to be listed. Personal property purchased or
 5 acquired on the first day of May shall be listed by or for the person pur-
 6 chasing or acquiring it.

WHO SHALL LIST AND WHAT LISTED.

§ 5. Personal property shall be listed in the manner following:

2 *First*—Every person of full age and sound mind, being a resident of this

3 State, shall list all his moneys, credits, bonds or stocks, shares of stock of
4 joint stock or other companies (when the capital stock of such company is
5 not assessed in this State), moneys loaned or invested, annuities, franchises,
6 royalties, and other personal property.

7 *Second*—He shall also list all moneys and other personal property invested,
8 loaned or otherwise controlled by him as the agent or attorney, or on account
9 of any other person or persons, company or corporation whatsoever, and all
10 moneys deposited, subject to his order, check or draft, and credits due from
11 or owing by any person or persons, body corporate or politic.

12 *Third*—The property of a minor child shall be listed by his guardian; if
13 he have no guardian, then by the father, if living; if not, by the mother, if
14 living; and if neither father nor mother be living, by the person having such
15 property in charge.

16 *Fourth*—The property of an idiot or lunatic, by his conservator; or if he
17 has no conservator, by the person having charge of such property.

18 *Fifth*—The property of a wife, by herself, if of sound mind; if not, then
19 by her husband, or conservator, if she have one.

20 *Sixth*—The property of a person for whose benefit it is held in trust, by
21 the trustee; of the estate of a deceased person, by the executor or admin-
22 istrator.

23 *Seventh*—The property of corporations whose assets are in the hands of
24 receivers, by such receivers.

25 *Eighth*—The property of a corporation, by the president, secretary, or other
26 proper officer thereof

27 *Ninth*—The property of a firm or company, by a partner or agent thereof.

28 *Tenth*—The property of manufacturers and others in the hands of agent,
29 by and in the name of such agent, as merchandise.

WHERE LISTED AND ASSESSED, AND WHAT HELD TO BE PERSONAL PROPERTY—MANNER OF
LISTING.

§ 6. [Where Personal Property Listed.] Personal property, except such
2 as is required in this act to be listed and assessed otherwise, shall be listed
3 and assessed in the county, town, city, village or district where the owner

4 resides. The capital stock and franchises of corporations and persons, except
 5 as may be otherwise provided, shall be listed and taxed in the county, town,
 6 district, city or village where the principal office or place of business of such
 7 corporation or person is located in this State. If there is no principal office
 8 or place of business in this State, then at the place in this State where any
 9 such corporation or person transacts business.

§ 7. [Farm Property—Owner not Residing on Farm.] When the owner
 2 of live stock or other personal property connected with a farm does not reside
 3 thereon, the same shall be listed and assessed in the town or district where
 4 the farm is situated: *Provided*, if the farm is situated in several towns or
 5 districts, it shall be listed and assessed in the town or district in which the
 6 principal place of business on such farm shall be.

§ 8. [Of Manufactures in Hands of Agents.] The property of manufacturers
 2 and others, in the hands of agents, shall be listed and assessed at the place
 3 where the business of such agent is carried on.

§ 9. [Purchasers' Interest in Exempted Lands—Personalty.] When real
 2 estate is exempt in the hands of the holder of the fee, and the same is con-
 3 tracted to be sold, the amount paid thereon by the purchaser, with the
 4 enhanced value of the investment and improvements thereon until the fee is
 5 conveyed, shall be held to be personal property, and listed and assessed as
 6 such, in the place where the land is situated.

§ 10. [In Transitu.] Personal property *in transitu* shall be listed and
 2 assessed in the county, town, city or district where the owner resides: *Pro-*
 3 *vided*, if it is intended for a business, it shall be listed and assessed at the
 2 place where the property of such business is required to be listed.

§ 11. [Nursery Stock.] The stock of nurseries, growing or otherwise, in
 2 the hands of nurserymen, shall be listed and assessed as merchandise.

§ 12. [Personal Property of Banks and Others.] The personal property of
 2 banks or bankers, brokers, stock jobbers, insurance companies, hotels, livery
 3 stables, saloons, eating-houses, merchants and manufacturers, ferries, mining
 4 companies, and companies not especially provided for in this act, shall be
 5 listed and assessed in the county, town, city, village or district where their

6 business is carried on, except such property as shall be liable to assessment
 7 elsewhere, in the hands of agents. All persons, companies and corporations
 8 in this State, owning steamboats, sailing vessels, wharf boats, barges and other
 9 water craft, shall be required to list the same for assessment and taxation in
 10 the county, town, city, village or district in which the same may belong or
 11 be enrolled, registered or licensed, or kept when not enrolled, registered or
 12 licensed.

§ 13. [Personal Property of Gas and Coke Companies.] The personal
 2 property of gas and coke companies, except the pipes laid down, shall be listed
 3 and assessed in the town, village, district or city where the principal works
 4 are located. Gas mains and pipes laid in roads, streets or alleys, shall be held
 5 to be personal property, and listed and assessed as such in the town, district,
 6 village or city where the same are laid.

§ 14. [Personal Property of Street Railroad, Plank Road, Gravel Road,
 2 Turnpike or Bridge Companies.] The personal property of street railroad,
 3 plank road, gravel road, turnpike or bridge companies, shall be listed and
 4 assessed in the county, town, district, village or city where the principal place
 5 of business is located. The track, road or bridge shall be held to be personal
 6 property, and listed and assessed as such in the town, district, village or city
 7 where the same is located or laid.

§ 15. The horses, stages and other personal property of stage companies or
 2 persons operating stage lines, shall be listed and assessed in the county, town,
 3 city or district where they are usually kept.

§ 16. The personal property of express or transportation companies shall
 2 be listed and assessed in the county, town, district, village or city where the
 3 same is usually kept.

§ 17. [Consignee only his Interest.] No consignee shall be required to
 2 list, for taxation, the value of any property consigned to him for the sole
 3 purpose of being stored or forwarded, except to the extent of his interest in
 4 such property.

§ 18. [Listing on Behalf of Others.] Persons required to list property on
 2 behalf of others, shall list it in the same place in which they are required to

3 list their own; but they shall list it separately from their own, specifying in
 4 each case the name of the person, estate, company or corporation to whom
 5 it belongs.

§ 19. [Interest on Bonds.] Persons, for themselves or others, holding
 2 bonds or stocks of any kind, the principal of which bonds or stocks has been
 3 or may hereafter be exempt from taxation, shall list the amount of accrued
 4 interest on such bonds, without regard to the time when the same is to be
 5 paid.

§ 20. [Money Secured by Deed.] Where a deed for real estate is held
 2 for the payment of a sum of money, such sum, so secured, shall be held to
 3 be personal property, and shall be listed and assessed as credits.

§ 21. [Removing where Owners Assessed.] The owner of personal prop-
 2 erty removing from one county, town, city, village or district, to another,
 3 between the first day of May and the first day of July, shall be assessed in
 4 either in which he is first called upon by the assessor. The owner of per-
 5 sonal property moving into this State, from another State between the first
 6 day of May and the first day of July, shall list the property owned by him
 7 on the first day of May of such year, in the county, town, city, village or
 8 district in which he resides: *Provided*, if such person has been assessed, and
 9 can make it appear to the assessor that he is held for tax of the current
 10 year on the property, in another State, county, town, city or district, he
 11 shall not be again assessed for said year.

§ 22. [How Place of Listing Fixed.] In all questions that may arise
 2 under this act as to the proper place to list personal property, or when the
 3 same cannot be listed as stated in this act, if between several places in the
 4 same county, the place for listing and assessing shall be determined and
 5 fixed by the county board; and when between different counties or places in
 6 different counties, by the Auditor of Public Accounts; and when fixed in
 7 either case, shall be as binding as if fixed by this act.

§ 23. Persons required to list personal property shall make out, and deliver
 2 to the assessor at the time required, a schedule of the numbers, amounts,
 3 quantity and quality of all personal property in their possession or under their

4 control, required to be listed by them. And it shall be the duty of the
 5 assessor to determine and fix the fair cash value of all items of personal
 6 property on hand on the first day of May. And if any person shall neglect
 7 or refuse to make such schedule when requested, the assessor shall list his or
 8 her property according to his best judgment and information. Any person
 9 being so requested to list personal property who shall neglect or refuse so to
 10 do, or shall wilfully make a false or incomplete list, shall be deemed guilty of
 11 a misdemeanor, and on conviction thereof shall be fined in any sum not
 12 exceeding five hundred dollars. All violations of this section shall be annually
 13 reported by the assessor to the county attorney, whose duty it shall be to
 14 prosecute the same at once.

§ 24. It shall not be lawful for any person in this State to make any sale
 2 or transfer of personal property, or any change in the condition, situs or status
 3 thereof, for the purpose of evading taxation upon the same or any part thereof;
 4 or to aid or abet any other person in so doing; and any person violating the
 5 provisions of this section shall be deemed guilty of a misdemeanor, and fined
 6 not less than fifty dollars nor more than five hundred dollars; and in all
 7 cases of conviction hereunder the court shall assess, as part of the costs, a
 8 fee of not less than \$25 for the county attorney.

FORM OF SCHEDULE.

§ 25. Such schedule, when completed by the assessor, in extending in a
 2 separate column the value of such property, shall truly and distinctly set
 3 forth:

- 4 *First*—The number of horses of all ages, and the value thereof.
- 5 *Second*—The number of cattle of all ages, and the value thereof.
- 6 *Third*—The number of mules and asses of all ages, and the value thereof.
- 7 *Fourth*—The number of sheep of all ages, and the value thereof.
- 8 *Fifth*—The number of hogs of all ages and the value thereof.
- 9 *Sixth*—Every steam engine, including boilers, and the value thereof.
- 10 *Seventh*—Every fire or burglar-proof safe, and the value thereof.
- 11 *Eighth*—Every billiard, pigeon-hole, bagatelle or other similar tables and the
 12 value thereof.

- 13 *Ninth*—Every carriage and wagon, of whatsoever kind, and the value thereof.
- 14 *Tenth*—Every watch and clock, and the value thereof.
- 15 *Eleventh*—Every sewing or knitting machine, and the value thereof.
- 16 *Twelfth*—Every piano forte, and the value thereof.
- 17 *Thirteenth*—Every melodeon and organ, and the value thereof.
- 18 *Fourteenth*—Every franchise, the description and the value thereof.
- 19 *Fifteenth*—Every annuity and royalty, the description and the value thereof.
- 20 *Sixteenth*—Every patent right, the description and the value thereof.
- 21 *Seventeenth*—Every steamboat, sailing vessel, wharf-boat, barge or other water
- 22 craft, and the value thereof.
- 23 *Eighteenth*—The value of merchandise on hand.
- 24 *Nineteenth*—The value of material and manufactured articles on hand
- 25 *Twentieth*—The value of manufacturers' tools, implements and machinery
- 26 (other than boilers and engines, which shall be listed as such.)
- 27 *Twenty-first*—The value of agricultural tools, implements and machinery.
- 28 *Twenty-second*—The value of gold and silver plate and plated ware.
- 29 *Twenty-third*—The value of diamonds and jewelry.
- 30 *Twenty-fourth*—The amount of moneys of bank, banker, broker or stock jobber.
- 31 *Twenty-fifth*—The amount of credits of bank, banker, broker or stock jobber.
- 32 *Twenty-sixth*—The amount of moneys, other than of bank, banker, broker or
- 33 stock jobber.
- 34 *Twenty-seventh*—The amount, value and description of credits other than of
- 35 bank, banker, broker or stock jobber.
- 36 *Twenty-eighth*—The amount, value and description of bonds or stocks.
- 37 *Twenty-ninth*—The amount, value and description of shares of capital stock of
- 38 companies and associations not incorporated by the laws of this State.
- 39 *Thirtieth*—The value of property such person is required to list as a pawnbroker.
- 40 *Thirty-first*—The value of property of companies and corporations other than
- 41 property hereinbefore enumerated.
- 42 *Thirty-second*—The value of bridge property.
- 43 *Thirty-third*—The value of property, of saloons and eating houses.

- 44 *Thirty-fourth*—The value of household or office furniture and property.
 45 *Thirty-fifth*—The value of investments in real estate and improvements thereon
 46 required to be listed under this act.
 47 *Thirty-sixth*—The value of all other property required to be listed.

RULES FOR LISTING CREDITS.

§ 26. [What Debts Deducted from Credits.] In making up the amount of
 2 credits which any person is required to list for himself, or for any other person, com-
 3 pany or corporation, he shall be entitled to deduct from the gross amount of
 4 credits the amount of all *bona fide* debts owing by such person, company or
 5 corporation, to any other person, company or corporation, for a con-
 6 sideration received; but no acknowledgment of indebtedness not founded
 7 on actual consideration, believed when received to have been adequate,
 8 and no such acknowledgment made for the purpose of being so deducted,
 9 shall be considered a debt within the meaning of this section; and so
 10 much only of any liability, as surety for others, shall be deducted
 11 as the person making out the statement believes he is legally and equitably
 12 bound and will be compelled to pay, on account of the inability or insolvency
 13 of the principal debtor; and if there are other sureties who are able to
 14 contribute, then only so much as the surety in whose behalf the statement
 15 is made will be bound to contribute; *Provided*, that nothing in this section
 16 shall be so construed as to apply to any bank, company or corporation
 17 exercising banking powers or privileges, or to authorize any deductions allowed
 18 by this section from the value of any other item of taxation than credits.

§ 27. [What Debts Not Deducted.] No person, company or corporation
 2 shall be entitled to any deduction from the amount of any bonds, stocks
 3 or money loaned, or on account of any bond, note or obligation of any
 4 kind given to any insurance company on account of premiums or policies,
 5 nor on account of any unpaid subscription to any religious, literary, scientific
 6 or charitable institution or society, nor on account of any subscription to
 7 or installment payable on the capital stock of any company, whether incor-
 8 porated or unincorporated.

§ 28. (Deductions Verified by Oath—Fines—Statements Preserved.) In all

2 cases where deductions are claimed from credits, the assessor shall require
 3 that such deductions be verified by the oath of the person, officer or agent
 4 claiming the same; and any such person, officer or agent knowingly or
 5 willfully making a fraudulent statement of such deductions claimed, so
 6 verified by affidavit, shall be liable to a fine of not less than one hundred
 7 dollars nor more than one thousand dollars, in addition to all damages sus-
 8 tained by the State, county or other local corporation, to be recovered in
 9 any proper form of action in any court of competent jurisdiction, in the
 10 name of the People of the State of Illinois. Such fines, when recovered, shall
 11 be paid into the county treasury, and the damages when collected shall be
 12 paid to whom they belong. The assessor shall preserve the statement of
 13 deductions thus claimed, so verified by affidavit, and when he returns the
 14 assessment books shall file the same with the county clerk, to be kept on
 15 file in his office for two years, and at the expiration of such time said state-
 16 ment of deductions shall be destroyed by said clerk, but in the meantime
 17 shall be subject only to the inspection of the officers charged with the
 18 execution of this law.

BANKS, BANKERS AND BROKERS.

§ 29. Every bank or company having or exercising any banking powers,
 1 organized under any law of this State, and every private or unincorporated
 2 bank, banker, broker or stock-jobber, or foreign corporation doing the busi-
 3 ness of a banker, broker or stock-jobber in this State, shall, at the time
 4 fixed by this act for listing personal property, make out and furnish the
 5 assessor a statement, showing
 6

7 *First*—The amount of gold and silver coin and bullion on hand or in
 8 transitu.

9 *Second*—The amount of United States notes and gold and silver certificates
 10 on hand or in transitu.

11 *Third*—The amount of National bank notes on hand or in transitu.

12 *Fourth*—The amount of funds in the hands of other banks, bankers, brokers
13 or others, subject to draft.

14 *Fifth*—The amount of checks or other cash items, the amount thereof not
15 being included in either of the preceding items.

16 *Sixth*—The amount of bills receivable, discounted or purchased, and other
17 credits, due or to become due, including accounts receivable, the interest
18 accrued but not due, and interest due and unpaid.

19 *Seventh*—The amount of United States bonds, with the series and numbers.

20 *Eighth*—The amount and description of other non-taxable securities.

21 *Ninth*—The amount of all other bonds and stocks of every kind, and shares
22 of capital stock of companies or corporations not taxed in this State, held as
23 an investment, or in any way representing assets.

24 *Tenth*—All other properties appertaining to said business, other than real
25 estate.

26 *Eleventh*—The amount of all deposits made with them by other parties.

27 *Twelfth*—The amount of all accounts payable, other than current deposit
28 accounts.

29 The aggregate amount of the first, third, fourth and fifth items in said
30 statement shall be listed as moneys. The amount of the tenth item shall be
31 listed the same as other similar personal property is listed under this act.
32 From the aggregate amount of the sixth item of said statement shall be
33 deducted so much of the aggregate amount of the eleventh and twelfth items
34 as such last named aggregate amount shall exceed the aggregate amount of
35 the second, seventh and eighth items; and the amount of the remainder, if
36 any, shall be listed as credits. The aggregate amount of the ninth item shall
37 be listed as bonds or stocks.

§ 30. The statement required by section 29 shall be made and certified as
2 is required by section 33 and if any person required by section 29 or by sec-
3 tion 33 to make or certify any such statement, shall make or certify a false
4 statement, or any company required to furnish any such statement shall neg-
5 lect or refuse to do so, within the time and in the manner required by law,

6 he or it shall be deemed guilty of a misdemeanor and fined not less than
7 \$100 nor more than \$500.

RULES FOR LISTING AND VALUING PROPERTY OF BANKING AND OTHER CORPORATIONS.

§ 31. Banking, bridge, ferry, gravel road, gas, mining, plank road, savings
2 bank, stage, steamboat, street railroad, transportation, turnpike, and all other
3 companies and associations incorporated under the laws of this State
4 other than banks organized under the general banking laws of this State
5 not hereinafter provided for and the corporations required to be assessed by
6 the local assessors as heretofore provided shall, in addition to the other
7 property required by this act to be listed, make out and deliver to the assessor
8 a sworn statement of the amount of its capital stock, setting forth parti-
9 cularly.

10 *First*—The name and location of the company or association.

11 *Second*—The amount of capital stock authorized, and the number of shares
12 into which such capital stock is divided.

13 *Third*—The amount of capital stock paid up.

14 *Fourth*—The actual cash value of all the shares of stock.

15 *Fifth*—The market value, or if no market value, then the actual value of
16 the shares of stock.

17 *Sixth*—The total amount of all indebtedness, except the indebtedness for
18 current expenses, excluding from such expenses the amount paid for the pur-
19 chase or improvement of property.

20 *Seventh*—The assessed valuation of all its tangible property.

21 *Eighth*—The value of all its tangible property assessed and taxed in juris-
22 dictions other than Illinois.

23 Such schedule shall be made in conformity to such instruction and forms
24 as may be prescribed by the Auditor of Public Accounts. In all cases of
25 failure or refusal of any person, officer, company or association to make such
26 return or statement, it shall be the duty of the assessor to make such return
27 or statement from the best information which he can obtain.

§ 32. [Schedule Returned—Forwarded to Auditor—State Board of Equaliza-
tion to Assess Capital Stock.] Such statements shall be scheduled by the
assessor; and such schedule, with the statements so scheduled, shall be
returned by the assessor to the county clerk. Said clerk shall, at the time he
makes his report of assessment, forward to the Auditor all such schedules and
statements so returned to him. The Auditor shall, annually, on the meeting
of the State Board of Equalization, lay before said board the schedules and
statements herein required to be returned to him; and said board shall value
and assess the capital stock of such companies or associations in the manner
provided in this act.

§ 33. Such statements shall be made in conformity to any instructions and
upon such forms as may be given or prescribed by the Auditor of Public
Accounts, and shall be signed by the president, cashier, secretary or treasurer
of the company making the same, and by him certified to be true, full and
correct in substantially the following form:

6 STATE OF ILLINOIS,)
7 _____, County,)

8. I, A. B. do hereby certify the foregoing to be true, full and correct. Dated
9 this day of , A. D. 18

10 A B

11 *Name of Office.*

§ 34. No such company failing to furnish such statement shall be entitled
2 to review of or appeal from any assessment.

§ 35. The assessments made as aforesaid, of the franchises and the prop-
erty, other than real estate, of such companies shall be entered in the record
of assessment of personal property and the valuation thereof shall be set down
in the collector's books, and the taxes extended thereon in like manner as
valuations of other personal property are set down and the taxes extended
thereon.

STATE AND NATIONAL BANKS.

§ 36. [How Assessed and Taxed.] The stockholders in every bank located within this State, whether such bank has been organized under the banking laws of this State or of the United States, shall be assessed and taxed on the value of their shares of stock therein, in the county, town, district, village or city where such bank or banking association is located, and not elsewhere, whether such stockholders reside in such place or not. Such shares shall be listed and assessed with regard to the ownership and value thereof, as they existed on the first day of May, annually, subject, however, to the restriction that taxation of such shares shall not be at a greater rate than is assessed upon any other moneyed capital in the hands of individual citizens of this State, in the county, town, district, village or city where such bank is located. The shares of capital stock of national banks not located in this State, held in this State, shall not be required to be listed under the provisions of this act.

§ 37. [List of Stockholders to be Kept, etc.] In each such bank there shall be kept, at all times, a full and correct list of names and residences of its stockholders, and of the number of shares held by each; which list shall be subject to the inspection of the officers authorized to assess property for taxation; and it shall be the duty of the assessor to ascertain and report to the county clerk a correct list of the names and residences of all stockholders in any such bank, with the number and assessed value of all such shares held by each stockholder.

§ 38. [Shares Listed in Names of Owners—Tax Extended.] The county clerk, to whom such returns are made, shall enter the valuation of such shares in the tax lists, in the names of the respective owners of the same, and shall compute and extend taxes thereon the same as against the valuation of other property in the same locality.

§ 39. [How Tax on Shares Collected—Lien.] The collector of taxes, and the officer or officers authorized to receive taxes from the collector, may, all or either of them, have an action to collect the tax assessed on any

4 share or shares of bank stock from the avails of the sale of such share or
5 shares; and the tax against such share or shares shall be and remain a
6 lien thereon till the payment of said tax.

§ 40. [Dividends to be Held for Taxes—Shares Sold.] For the purpose
2 of collecting such taxes, it shall be the duty of every such bank, or the
3 managing officer or officers thereof, to retain so much of any dividend or
4 dividends, belonging to such stockholders, as shall be necessary to pay any
5 taxes levied upon their shares of stock, respectively, until it shall be made
6 to appear to such bank or its officers that such taxes have been paid;
7 and any officer of any such bank who shall pay over or authorize the
8 paying over of any such dividend or dividends, or any portion thereof,
9 contrary to the provisions of this section, shall thereby become liable for
10 such tax; and if the said tax shall not be paid, the collector of taxes
11 where said bank is located shall sell said share or shares to pay the same,
12 like other personal property. And in case of sale, the provision of law
13 in regard to the transfer of stock, when sold on execution, shall apply to
14 such sale.

§ 41. [Franchise to be Listed and Valued.] Every person owning or using
2 a franchise granted by any law of this State, shall in addition to his
3 own property, list the same as personal property, giving the total value
4 thereof.

PAWNBROKERS.

§ 42. Every person or company engaged in the business of receiving
2 property in pledge, or as security for money or other thing advanced to
3 the pawnor or pledger, shall be held to be a pawnbroker, and shall, at
4 the time required by this act, return to the assessor the value of the
5 property, held by him as a pawnbroker, on hand on the first day of May,
6 annually, and taxes shall be charged upon the fair cash value of such
7 property, to such pawnbroker, the same as other property; and any person
8 who shall refuse to make such return, or who shall make a false or in-
9 complete return, shall be deemed guilty of a misdemeanor, and fined not
10 less than twenty-five nor more than two hundred dollars.

RULES FOR THE VALUATION OF REAL ESTATE.

§ 43. Real property shall be valued as follows.

2 *First*—Each tract or lot of real property shall be valued at its fair cash
3 value, estimated at the price it would bring at a fair voluntary sale.

4 *Second*—Taxable leasehold estates shall be valued at such price as they
5 would bring at a fair voluntary sale for cash.

6 *Third*—When a building or structure is located on the right of way of
7 any canal, railroad or other company leased or granted for a term of
8 years to another, the same shall be valued at such a price as such build-
9 ing or structure and lease or grant would sell at a fair voluntary sale
10 for cash.

11 *Fourth*—In valuing any real property on which there is a coal or other
12 mine, or stone or other quarry, the same shall be valued at such a price
13 as such property, including the mine or quarry, would sell at a fair volun-
14 tary sale for cash.

REAL PROPERTY—AS OF WHAT TIME LISTED—WHO LIABLE FOR TAX.

§ 44. All real property in this State, subject to taxation under this act,
2 including real estate becoming taxable for the first time, shall be listed to
3 the owners thereof, by such owners, their agents, county clerks or assessors,
4 or the county board, and assessed for the year one thousand eight hundred
5 and eighty-eight, and yearly thereafter, with reference to the amount
6 owned on the first day of May in each year, including all property pur-
7 chased on that day: *Provided*, that no assessment of real property shall
8 be considered as illegal by reason of the same not being listed or assessed
9 in the name of the owners thereof.

§ 45. (Owner on 1st May Liable. The owner of property on the first
2 day of May in any year, shall be liable for the taxes of that year. The
3 purchaser of property on the first day of May shall be considered as the
4 owner on that day.

§ 46. Leasehold Interest in Exempted Lands. When real estate, which
2 is exempt from taxation, is leased to another whose property is not exempt

3 and the leasing of which does not make the real estate taxable, the lease-
 4 hold estate and the appurtenances shall be listed as the property of the
 5 lessee thereof, or his assignee, as real estate.

§ 47. When Certain Lands Become Taxable. Government lands entered
 2 or located on or prior to the first day of May, shall be taxable for that
 3 year, and annually thereafter. School lands and lots sold shall be taxable
 4 in like manner as government lands. Lands and lots sold by the trustees
 5 of the Illinois and Michigan canal shall be taxable from and after the
 6 time the full payment therefor is made. Illinois Central railroad lands and
 7 lots shall be taxable from and after the time the last payment becomes
 8 due. Swamp lands and lots shall become taxable whenever the county
 9 sells, conveys, or agrees to convey its title: *Provided*, that canal, Illinois
 10 Central railroad and swamp lands and lots shall be, in other respects,
 11 governed, as to the time of becoming taxable, the same as government
 12 lands.

SUBDIVIDING.

§ 48. (Owner to Plat—Record—Description.) In all cases where any tract
 2 or lot of land is divided in parcels, so that it cannot be described without
 3 describing it by metes and bounds, it shall be the duty of the owner to
 4 cause such land to be surveyed and platted into lots. Such plat shall be cer-
 5 tified and recorded. The description of real estate, in accordance with the
 6 number and description set forth in the plat, aforesaid, shall be deemed a
 7 good and valid description of the lot or parcel of land so described.

§ 49. (Owner Neglecting—County Clerk to cause Plat, etc.) If the owner
 2 of any such tract or lot shall refuse or neglect to cause such survey to be
 3 made within thirty (30) days after having been notified by the county clerk,
 4 by publication of a notice in a newspaper in the county, having general cir-
 5 culation, at least three times, said clerk shall cause such survey to be made
 6 and recorded; and the expenses of the publication of such notice and of
 8 making such survey shall be added to the tax levied on such real property.

9 and when collected, shall be paid, on demand, to the persons to whom it
10 is due.

HOW LISTED AS BETWEEN COUNTIES.

§ 50. Any tract of land, not exceeding one-sixteenth of a section, shall
2 be listed in the county where the greater part thereof is situated. When
3 any such tract of land shall be situated equally in two counties, the Auditor
4 shall determine in which county it shall be listed. If there be several
5 tracts similarly situated, the Auditor shall apportion them equally between
6 the counties as nearly as practicable. County clerks may have the actual
7 contents of such tracts lying in their respective counties, surveyed, platted
8 and recorded, in the manner provided for in other cases.

HOW LISTED AS BETWEEN TOWNS.

§ 51. The foregoing rule shall apply to lands lying in different towns:
2 *Provided*, the county clerk shall act in said cases, instead of the Auditor.

MANNER OF LISTING AND VALUING THE PROPERTY OF RAILROADS.

§ 52. Schedules—1st May. Every person, company or corporation owning,
2 operating or constructing a railroad in this State, shall return sworn lists of
3 schedules of the taxable property of such railroad, as hereinafter provided.
4 Such property shall be listed and assessed with reference to the amount,
5 kind, and value, on the first day of May of the year in which it is listed.

§ 53. Time of Filing Schedule—Form of Same. They shall, in the
2 month of May of the year eighteen hundred and eighty-eight, and at the
3 same time in each year thereafter when required, make out and file with
4 the county clerks of the respective counties in which the railroad may be
5 located, a statement or schedule showing the property held for right of
6 way, and the length of the main and all side and second tracks and turn-
7 outs in such county, and in each city, town and village in the county,
8 through or into which the road may run, and describing each tract of land,
9 other than a city, town or village lot, through which the road may run,
10 in accordance with United States surveys, giving the width and length of
11 the strip of land held in each tract, and the number of acres thereof.

12 They shall also state the value of improvements and stations located on
 13 the right of way. New companies shall make such statement in May next
 14 after the location of their roads. When such statement shall have been
 15 once made, it shall not be necessary to report the description as herein
 16 before required, unless directed so to do by the county board; but the
 17 company shall, during the month of May, annually, report the value of
 18 such property by the description set forth in the next section of this act,
 19 and note all additions or changes in such right of way, as shall have
 20 occurred.

§ 54. ["Railroad Track"—Description of.] Such right of way, including
 2 the superstructure of main, side or second track and turnouts, and the stations
 3 and improvements of the railroad company on such right of way, shall be
 4 held to be real estate for the purposes of taxation, and denominated "railroad
 5 track," and shall be so listed and valued; and shall be described in the
 6 assessment thereof as a strip of land extending on each side of such railroad
 7 track, and embracing the same, together with all the stations and improve-
 8 ments thereon, commencing at a point where such railroad track crosses the
 9 boundary line in entering the county, city, town or village, and extending to
 10 the point where such track crosses the boundary line leaving such county,
 11 city, town or village, or to the point of termination of the same, as the
 12 case may be, containing acres, more or less (inserting name of county,
 13 township, city, town or village, boundary line of same, and number of acres,
 14 and length in feet,) and when advertised or sold for taxes, no other des-
 15 cription shall be necessary.

§ 55. [How "Railroad Track" Listed and Assessed.] The value of the
 2 "railroad track" shall be listed and taxed in the several counties, towns,
 3 villages, districts and cities, in the proportion that the length of the main
 4 track in such county, town, village, district or city bears to the whole length
 5 of the road in this state, except the value of the side or second track, and
 6 all turnouts, and all station houses, depots, machine shops or other build-
 7 ings belonging to the road, which shall be taxed in the county, town,
 8 village, district or city in which the same are located.

§ 56. "Rolling Stock"—Schedule." The movable property belonging to a
 2 railroad company shall be held to be personal property, and denominated, for
 3 the purpose of taxation, "rolling stock." Every person, company or corpora-
 4 tion, owning, constructing or operating a railroad in this State, shall, in the
 5 month of May, annually, return a list or schedule, which shall contain a
 6 correct detailed inventory of all the rolling stock belonging to such company,
 7 and which shall distinctly set forth the number of locomotives of all classes,
 8 passenger cars of all classes, sleeping and dining cars, express cars, baggage
 9 cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, pay cars,
 10 hand cars, and all other kinds of cars.

§ 57. "How "Rolling Stock" Listed and Taxed." The rolling stock shall
 2 be listed and taxed in the several counties, towns, villages, districts and
 3 cities, in the proportion that the length of the main track, used or operated
 4 in such county, town, village, district or city, bears to the whole length of
 5 the road used or operated by such person, company or corporation, whether
 6 owned or leased by him or them in whole or in part. Said list or schedule
 7 shall set forth the number of miles of main track on which said rolling stock
 8 is used in the State of Illinois, and the number of miles of main track on
 9 which said rolling stock is used elsewhere.

§ 58. "Personalty and Real Estate other than "Rolling Stock" and "Railroad
 2 Track"—Where Listed." The tools and materials for repairs, and all other
 3 personal property of any railroad, except "rolling stock," shall be listed and
 4 assessed in the county, town, village, district or city, wherever the same may
 5 be on the first day of May. All real estate, including the stations and other
 6 buildings and structures thereon, other than that denominated "railroad
 7 track," belonging to any railroad, shall be listed as lands or lots, as the case
 8 may be, in the county, town, village, district or city where the same are lo-
 9 cated.

§ 59. "How such other Personal and Real Property to be Assessed." The
 2 county clerk shall return to the assessor of the town or district, as the case
 3 may require, a copy of the schedule or list of the real estate (other than

4 "railroad track," and of the personal property (except "rolling stock," per-
 5 taining to the railroad; and such real and personal property shall be assessed
 6 by the assessor. Such property shall be treated in all respects, in regard to
 7 assessment and equalization, the same as other similar property belonging to
 8 individuals; except that it shall be treated as property belonging to railroads,
 6 under the terms "lands," "lots" and personal property.

§ 60. Railroad Returns to Auditor. At the same time that the lists or
 2 schedules are hereinbefore required to be returned to the county clerk, the
 3 person, company or corporation, running, operating or constructing any rail-
 4 road in this State shall return to the Auditor of Public Accounts sworn
 5 statements or schedules as follows:

6 *First*—Of the property denominated "railroad track," giving the length of
 7 the main and side or second tracks and turnouts, and showing the proper
 8 tions in each county, and the total in the State.

9 *Second*—The "rolling stock," giving the length of the main track in each
 10 county, the total in this State, and the entire length of the road.

11 *Third*—Showing the number of ties in track per mile, the weight of iron
 12 or steel per yard, used in main and side tracks; what joints or chairs are used
 13 in track; the ballasting of road, whether gravel or dirt; the number and
 14 quality of buildings or other structures on "railroad track;" the length of
 15 time iron in track has been used, and the length of time the road has been
 16 built.

17 *Fourth*—A statement or schedule showing:

18 1. The amount of capital stock authorized and the number of shares into
 19 which such capital stock is divided.

20 2. The amount of capital stock paid up.

21 3. The market value, or if no market value, then the actual value of the
 22 shares of stock.

23 4. The total amount of all indebtedness, except for current expenses for
 24 operating the road.

25 5. The total listed valuation of all its tangible property in this State

26 Such schedule shall be made in conformity to such instructions and forms
 27 as may be prescribed by the Auditor of Public Accounts.

§ 61. Neglect to Return. If any person, company or corporation, own-
 2 ing, operating or constructing any railroad, shall neglect to return to the
 3 county clerks the statements or schedules required to be returned to them,
 4 the property so to be returned and assessed by the assessor, shall be listed
 5 and assessed as other property. In case of failure to make returns to the
 6 Auditor, as hereinbefore provided, the Auditor, with the assistance of the
 7 county clerks and assessors, when he shall require such assistance, shall as-
 8 certain the necessary facts, and lay the same before the State Board of
 9 Equalization. In case of failure to make said statements, either to the
 10 county clerk or Auditor, such corporation, company or person shall forfeit,
 11 as a penalty, not less than one thousand nor more than ten thousand dollars
 12 for each offense, to be recovered in any proper form of action, in the name
 13 of the People of the State of Illinois, and paid into the State treasury.

§ 62. Schedules—Board to Assess Railroad Property. The Auditor shall
 2 annually, on the meeting of the State Board of Equalization, lay before said
 3 board the statements and schedules herein required to be returned to him,
 4 and said board shall assess such property in the manner hereinafter provided.

§ 63. Railroad Tax Book—Extending and Collecting Tax. The county
 2 clerk shall procure, at the expense of the county, a record book, properly
 3 ruled and headed, in which to enter the railroad property of all kinds, as
 4 listed for taxation, and shall enter the valuations as assessed, corrected and
 5 equalized, in the manner provided by this act; and against such assessed,
 6 corrected or equalized valuation, as the case may require, the county clerk
 7 shall extend all the taxes thereon, for which said property is liable; and at
 8 the proper time fixed by this act for delivering tax books to the county col-
 9 lector the clerk shall attach a warrant under his seal of office, and deliver
 10 said book to the county collector, upon which the said county collector is
 11 hereby required to collect the taxes therein charged against railroad prop-
 12 erty, and pay over and account for the same in the manner provided in

13 other cases. Said book shall be returned by the collector, and be filed in
14 the office of the county clerk for future use.

§ 64. [Description of Platted Land.] When any railroad company shall
2 make or record a plat of any contiguous lots or parcels of land belonging to
3 it, the same may be described as designated on such plat.

MAKING AND DELIVERY OF ASSESSMENT BOOKS AND BLANKS.

§ 65. [How Books to be Made.] The county clerk shall make up for the
2 several towns or districts in his county, in books to be provided for that pur-
3 pose, the lists of lands and lots to be assessed for taxes. When a whole
4 section, half section, quarter section, or half-quarter section, belongs to one
5 owner, it shall, at the request of the owner or his agent, be listed as one
6 tract, and when all lots in the same block belong to one owner, they shall, at
7 the request of the owner or his agent, be listed as a block. When several
8 adjoining lots in the same block belong to the same owner, they shall, at the
9 request of the owner or his agent, be included in one description: *Provided*,
10 that when any tract or parcel of real estate is situated in more than one
11 town, or in more than one school, road or other district, the portion thereof
12 in each town or district shall be listed separately. Said clerk shall enter in
13 the proper column, opposite the respective tracts or lots, the name of the
14 owner thereof, so far as he shall be able to ascertain the same. Said books
15 shall contain columns in which may be shown the number of acres or lots
16 improved, and the value thereof; the number of acres or lots not improved,
17 and the value thereof; the total value; and such other columns as may be
18 required.

§ 66. [Books to be by Townships—When Separate Books for Cities, etc.]
2 The books for the assessment of property in counties not under township
3 organization shall be made up by congressional townships, but parts or frac-
4 tional townships, less than full townships, may be added to full townships, at
5 the discretion of the county board. In counties under township organization,
6 said books shall be made to correspond with the organized townships.
7 Separate books shall be made for the assessment of property and the col-

lection of all taxes and special assessments thereon, within the corporate limits of cities, towns and villages, if ordered by the county board.

§ 67. Lists Compared. The county clerk shall cause such lists to be carefully compared with the lists of taxable real property on file in his office.

§ 68. Books Ready by First of May. The county clerk shall cause such assessment books, and all blanks necessary to be used by the assessor in the assessment of real and personal property, to be in readiness for delivery to the assessor on or before the first day of May in each year.

§ 69. Assessors to Call for Books by First of May. It shall be the duty of each county, town or district assessor to call on the county clerk on or before the first day of May in each year, and receive the necessary books and blanks for the assessment of property, and the failure of any assessor so to do shall be deemed sufficient cause to declare his office vacant, and for the appointment of a successor.

§ 70. Other Lands. If after the delivery of such books to the assessor in any year, the clerk shall receive an abstract showing the entry of any lands or lots not contained in such books, it shall be his duty to furnish a list of the same to the proper assessor within five days after such abstract is received.

APPOINTMENT OF ASSESSORS AND DEPUTY ASSESSORS.

§ 72. In Counties not under Township Organization. Until provision is made by law for the election of the county assessor in counties not under township organization, the county board in said counties shall annually appoint some suitable and competent person as county assessor, and the person so appointed shall hold his office for one year, subject, however, to all the fines, penalties, and removal from office, provided for in this act. A vacancy from any cause in the office of assessor shall be filled by appointment by said board.

§ 72. [Deputies.] If any assessor, for any cause whatever, shall be unable to perform the duties required of him within the time designated by law, he may, by and with the advice and consent of the chairman of the

4 county board, or board of town auditors, as the case may require, appoint
 5 one or more suitable persons to act as deputies to assist him in making
 6 the assessment, and may designate the district, or portion of the township,
 7 county, city, village or town in which such deputy or deputies are authorized
 8 to list and assess property. Such deputy assessors shall make their returns
 9 to the assessor.

§ 73. Any person elected or appointed assessor shall, on or before the
 2 first day of May after his election or appointment, file a bond with the
 3 county clerk, in a penal sum, to be fixed by the county board, of not
 4 less than one thousand dollars, with two or more responsible securities to be
 5 approved by the township supervisor or county board, which bond shall be made
 6 payable to the people of the State of Illinois, and conditioned for the faithful
 7 discharge of all his duties as assessor of the county, and especially that he
 8 will in no case wilfully or knowingly omit from assessment, or assess and
 9 value for taxation, any of the taxable property in said county, real or personal,
 10 other than at its true and fair cash value, but will well and truly assess
 11 and value all such property at its true and fair cash value; which bond,
 12 when approved, shall at once be recorded by the county clerk in a book
 13 to be kept in his office for that purpose, and also by the recorder 14 his
 14 office.

OATH AND DUTIES OF ASSESSORS—ASSESSMENT OF REAL AND PERSONAL PROPERTY.

§ 74. [Oath.] Every assessor or deputy assessor, before entering upon the
 2 duties of his office, shall take and subscribe the oath required by the con-
 3 stitution.

§ 75. [Failure to take Oath—Vacancy.] If any assessor shall fail to take the
 2 oath required by this act, his office shall become vacant; and in such case or in
 3 case the office of assessor is vacant for any cause, the county board or town
 4 board, as the case may be, shall fill the vacancy by the appointment of some
 5 suitable person, who shall qualify and discharge the duties of such assessor till
 6 the office is otherwise filled, as required by law.

§ 76. [How Real Estate Assessed.] Assessors shall, between the first day
 2 of May and the first day of July of each year, actually view and determine,

3 as nearly as practicable, the fair cash value of each tract or lot of land listed
 4 for taxation, and set down in proper columns, in the book furnished him,
 5 the value of each tract or lot improved, the value of each tract or lot not
 6 improved, and the total value. He shall also set down, in separate columns,
 7 the number of acres in wheat, corn, oats, meadow, and other field pro-
 8 ducts, in inclosed pastures, orchards and woodlands, whether inclosed or not
 9 in that year.

§ 77. Other Lands Added. If the assessor discovers any real property
 2 subject to taxation, which has not been returned to him by the clerk, he shall
 3 list and assess such property.

§ 78. How Personal Property Assessed. The assessor or his deputy
 2 shall also, between the first day of May and July, proceed to take a list
 3 of the taxable personal property in his county, town or district, and assess
 4 the value thereof in the manner following, to-wit: He shall call at the
 5 office, place of doing business, or residence of each person required by
 6 this act to list property, and list his name, and shall require such person
 7 to make a correct statement of his taxable property in accordance with
 8 the provisions of this act; and the person listing the property shall enter
 9 a true and correct statement of such property in the form prescribed by
 10 this act, which shall be signed and sworn to, to the extent required by
 11 this act, by the person listing the property, and delivered to the assessor;
 12 and the assessor shall thereupon assess the value of such property and enter
 13 the same in his books: *Provided*, if any property is listed or assessed on or
 13 after the first day of July, and before the return of the assessor's books,
 15 the same shall be as legal and binding as if listed and assessed before that
 16 time.

§ 79. [When Owner, etc., Sick or absent.] If any person required by this
 2 act to list property shall be sick or absent when the assessor calls for a
 3 list of his property, the assessor shall leave at the office or usual place
 4 of residence or business of such person a written or printed notice, re-
 5 quiring such person to make out and leave at the place named by said

6 assessor, on or before some convenient day named therein, the statement or
 7 schedule required by this act. The date of leaving such notice and the
 8 name of the person required to list the property shall be carefully noted by
 9 the assessor in a book to be kept for that purpose.

§ 80. [Examination under Oath—Witness.] The assessor may examine
 2 on oath any person whom he may suppose to have knowledge of the
 3 amount or value of the personal property which the person so refusing is
 4 required to list. The assessor may take any proper form of action to compel the
 5 attendance of a witness.

§ 81. [School District to be Designated.] It shall be the duty of assessors
 2 when making assessments of personal property, to designate the number of
 3 school district or districts in which each person assessed is liable for tax;
 4 which designation shall be made by writing the number of the district
 5 opposite each assessment, in a column provided for that purpose in the
 6 assessment book.

§ 82. [When Property in Several Districts.] When the personal property
 2 of any person is assessable in several school districts, the amount in each shall
 3 be assessed separately, and the name of the owner placed opposite each amount.

§ 83. [When Assessor to Fix Value.] In all cases of failure to obtain a state-
 2 ment of personal property, from any cause, it shall be the duty of the assessor to
 3 ascertain the amount and value of such property, and assess the same
 4 as he believes to be the fair amount and value thereof.

§ 84. [Owner May Require List of Valuation.] The assessor, when requested,
 2 shall deliver to the person assessed a copy of the statement of property hereinbe-
 3 fore required, showing the valuations of the assessor of property so listed; which
 4 copy shall be signed by the assessor.

§ 85. [Assessor to Use Forms.] Assessors, in the execution of their duties,
 2 shall use the forms and pursue the instructions which shall from time to
 3 time be transmitted to them by the Auditor, or that may be furnished to
 4 them by the county clerk or other officer, in pursuance of law.

REVIEW OF ASSESSMENT BY TOWN BOARD, IN COUNTIES UNDER TOWNSHIP ORGANIZATION.

§ 86. Time—Proceedings. In counties under township organization, the assessor, clerk and supervisor of the town shall meet on the fourth Monday of June, for the purpose of reviewing the assessment of property in such town. And on the application of any person considering himself aggrieved, or who shall complain that the property of another is assessed too low, they shall review the assessment, and correct the same as shall appear to them just. No complaint that another is assessed too low shall be acted upon until the person so assessed, or his agent, shall be notified in writing of such complaint, if a resident of the county. Any two of said officers meeting are authorized to act, and they may adjourn from day to day till they shall have finished the hearing of all cases presented on said day. Property assessed after the fourth Monday of June shall be subject to complaint to the county board, subject to the rules specified in this section.

§ 87. Notice of Meeting. The assessor shall cause at least ten days' previous notice of the time and place of such meeting to be given, by posting notices in at least three public places in such town.

§ 88. Failure not to Vitate. Except, etc. The failure to give such notice or hold said meeting shall not vitiate such assessment, except as to the excess of valuation or tax thereon shown to be unjustly made or levied.

RETURN OF ASSESSOR TO COUNTY CLERK.

§ 89. Assessor to add up Columns. The assessor shall add up and note the aggregate of each column in his assessment books, of real and personal property; and shall also add in each book, under proper headings, a tabular statement, showing the footing of the several columns upon each page; and shall add up and set down under the respective headings the totals of the several columns. When an assessor returns several assessment books of real or personal property, he shall in addition to the tabular statement herein required, return a statement, in like form, showing the totals of all the books.

§ 90. Return. The assessor shall, on or before the first day of July of the year for which the assessment is made, return his assessment books to the county clerk, verified by his affidavit, substantially in the following form:

4 STATE OF ILLINOIS,)
 5 COUNTY,) ss.

6 I, _____, assessor of _____, do solemnly swear that
 7 the book to which this is attached contains a correct and full list of all the real
 8 property (or "personal property," as the case may be, subject to taxation in
 9 _____, so far as I have been able to ascertain the same; and that the
 10 assessed value set down in the proper column, opposite the several kinds and
 11 descriptions of property, is, in each case, the fair cash value of such property, to
 12 the best of my knowledge and belief, (where the assessment has been corrected
 13 by a town board, "except as corrected by the town board," and that the footings
 14 of the several columns in said book, and tabular statement returned herewith,
 15 are correct, as I verily believe.

§ 91. [Schedules and Statements Delivered, etc.] The assessor shall at the
 2 same time deliver to the county clerk all the schedules and statements of
 3 personal property which shall have been received by him, indorsed with the
 4 name of the person whose property is listed, and arranged in alphabetical order;
 5 and the clerk shall preserve the same in his office for two years thereafter.

§ 92. [Books Open to inspection—Delivery to Town Clerks.] The several
 2 assessment books shall be filed in the office of the county clerk, and there
 3 remain open to the inspection of all persons: *Provided*, that the county clerk
 4 shall, in the month of April, deliver to the town clerks of the several towns in
 5 the county the assessment books of their respective towns for the previous year;
 6 such books to be returned by the town clerks to the county clerk's office
 7 before the first of July of the same year.

PAY OF ASSESSORS AND DEPUTY ASSESSORS.

§ 93. [How Fixed and Paid.] The pay of assessors and deputy assessors
 2 shall, from time to time, in counties not under township organization, be de-
 3 termined and fixed by the county board, and in counties under township
 4 organization, by the town board of auditors. Such pay shall be for the time
 5 necessarily employed in making the assessment, to be paid county assessors
 6 and their deputies out of the county treasury, and town assessors and their
 7 deputies out of the town treasury.

§ 94. [Detailed Account of Time—Not to be Paid until, etc.] Assessors
 2 and deputy assessors shall make out their accounts in detail, giving the date
 3 of each day which they shall have been employed, which account they shall verify
 4 under oath. The assessor shall not be entitled to compensation until he shall
 5 have filed the lists, schedules, statements and books appertaining to the
 6 assessment of property for such year, in the office of the county clerk, the
 7 books to be accurately made and added up. An assessor or deputy assessor
 8 shall not be entitled to pay unless he has performed the labor and made
 9 returns in strict compliance with law.

DUES OF CLERK ON RETURN OF ASSESSMENT BOOKS.

§ 95. [Clerk to Correct Errors, etc.] The clerk, upon receipt of the
 2 assessment books of real property, shall correct all errors of whatsoever kind
 3 which he may discover, and add the name of the owner, if known, when the
 4 same does not already appear, and the description of all real property which
 5 has been omitted by the assessor, and is liable to taxation.

§ 96. [Further Corrections.] If the assessor has listed and assessed any
 2 real property not returned by the auditor to the clerk, the clerk shall imme-
 3 diately advise the auditor thereof, who shall ascertain if the same is taxable,
 4 and advise the clerk. If taxable, the clerk shall enter the same in the
 5 list of taxable property in his office; if not, he shall correct the assessment
 6 books.

EQUALIZATION OF ASSESSMENT BY THE COUNTY BOARD.

§ 97. [At July Meeting.] The county board, at a meeting to be held for
 2 the purpose contemplated in this section, on the second Monday in July,
 3 annually, after the return of the assessment books, shall—

4 *First*—Assess all such lands or lots as have been listed by the county clerk,
 5 and not assessed by the assessor. Said board may make such alterations in
 6 the descriptions of real property as it shall deem necessary.

7 *Second*—On the application of any person considering himself aggrieved, or
 8 who shall complain that the property of another is assessed too low, they
 9 shall review the assessment and correct the same as shall appear to be just.

10 No complaint that another is assessed too low shall be acted upon until the
 11 person so assessed, or his agent, shall be notified of such complaint, if a resi-
 12 dent of the county.

13 *Third*—To hear and determine the application of any person who is assessed
 14 on property claimed to be exempt from taxation. If the board shall decide
 15 that any such property is not liable to taxation, and the question as to the
 16 liability of such property to taxation has not been previously determined, as
 17 hereinafter provided, the decision of said board shall not be final, unless
 18 approved by the Auditor of Public Accounts; and it shall be the duty of the
 19 county clerk, in all such cases, to make out and forward to the Auditor a
 20 full and complete statement of all the facts in the case. If the Auditor is
 21 satisfied that such property is not legally liable to taxation, he shall notify
 22 the clerk of his approval of the decision of the board, and the said clerk shall
 23 correct the assessment accordingly. But if the Auditor is satisfied that such
 24 property is liable to taxation, he shall advise the clerk of his objection to the
 25 decision of the board, and give notice to said clerk that he will apply to the
 26 Supreme Court in either division, specifying at what term thereof, for an
 27 order to set aside and reverse the decision of the county board. Upon the
 28 receipt of such notice, the clerk shall notify the person making the applica-
 29 tion aforesaid. It shall be the duty of the Auditor to file in the Supreme
 30 Court a certified statement of the facts certified by the clerk, as aforesaid,
 31 together with his objections thereto, and the court shall hear and determine
 32 the matter as the right of the case may be. If the board shall decide that
 33 the property so claimed to be exempt is liable to be taxed, and the party
 34 aggrieved shall at the time pray an appeal, a brief statement in the case shall
 35 be made by the clerk, and transmitted to the Auditor, who shall present the
 36 case to the Supreme Court in like manner as hereinbefore provided. In
 37 either case, the collection of the tax shall not be delayed thereby; but in
 38 case the property is decided to be exempt, the tax shall be abated or
 39 refunded.

40 *Fourth*—It shall ascertain whether the valuations in one town or district
 41 bear just relation to all the towns or districts in the county; and may

42 increase or diminish the aggregate valuation of property in any town or
 43 district, by adding or deducting such sum upon the hundred as may be
 44 necessary to produce a just relation between all the valuations of property
 45 in the county; but shall, in no instance, reduce the aggregate valuation
 46 of all the towns or districts below the aggregate valuation thereof as made
 47 by the assessors; neither shall it increase the aggregate valuation of all
 48 the towns or districts, except in such an amount as may be actually
 49 necessary and incidental to a proper and just equalization. It may con-
 50 sider lands, town or city lots, personal property, and railroad property
 51 except "railroad track" and "rolling stock", separately, and determine a
 52 separate rate per cent. of addition or reduction for each of said classes of
 53 property, as may be necessary to a just equalization of the assessed value
 54 of said classes of property within the respective towns, and of the same
 55 between the several towns or districts in the county.

§ 98. [County Board may Complete Equalization at Subsequent Meeting.]

2 That in any case where the county board of any county shall have failed
 3 to complete the equalization of assessments, as returned for any year, at
 4 the meeting held on the second Monday in July, or shall have failed to
 5 act upon a complaint that another is assessed too low at such meeting,
 6 the equalization of such assessment, or action upon such complaint by the
 7 county board at any subsequent meeting thereof, is hereby declared legal
 8 and valid, and the taxes extended thereon shall be and remain a lien on
 9 the property against which they are extended, to the same extent as if
 10 such equalization and action upon complaint had been had and taken on
 11 the second Monday in July.

REPORT OF ASSESSMENT BY THE CLERK TO THE AUDITOR FOR EQUALIZATION.

§ 99. [Clerk's Report to Auditor.] On or before the tenth day of July,

2 annually, it shall be the duty of the county clerks, upon the receipt of the
 3 assessment books, to make out and transmit to the Auditor an abstract of
 4 the assessment of property, showing the number, value and average value of
 5 each kind of enumerated property, as shown by the assessment; the value of

6 each item of unenumerated property, and total value of personal property;
 7 the length of main track, the length of side track, and the numbers, values
 8 and average values of each separate item of railroad property; the number of
 9 acres, value and average value of improved lands; the number of acres, value
 10 and average value of unimproved lands; the total number of acres, total value
 11 and average value, per acre, of all lands; the number, value and average value
 12 of improved town and city lots; the number, value and average value of
 13 unimproved town or city lots; the total number of lots, total value and
 14 average value of all lots, and the total value of all property; the number of
 15 acres in cultivation of wheat, corn, oats, meadow, and other field products in
 16 inclosed pasture, orchards and woodland, whether inclosed or not in that
 17 year. Said abstracts shall be made out on blanks, which it shall be the duty
 18 of the Auditor to furnish the county clerks for that purpose. The values to
 19 to be given in said abstract shall be the assessed valuations, except in the
 20 case of railroad property denominated "railroad track" and "rolling stock,"
 21 the value of which shall be given as returned by the railroad company to the
 22 county clerk. The county clerk shall, at the same time, and accompanying
 23 said abstract, furnish a detailed statement of the railroad property denomi-
 24 nated "railroad track" and "rolling stock," reported by each road located in
 25 or through their counties. If there are any roads so located that have not
 26 made their reports as required by this act, the clerk shall report the fact,
 27 giving the name of such railroad.

§ 100. [When Assessments not all in.] It shall be the duty of the county
 2 clerks, in case of failure of any assessor to make return of assessments within
 3 the time specified in this act, to transmit a statement of the assessment in
 4 all the towns or districts from which returns have been received, together
 5 with a statement of the amount of taxable property assessed in the defaulting
 6 towns or districts for the previous year.

STATE BOARD OF EQUALIZATION.

§ 101. [Members.] The State Board of Equalization shall consist of one
 2 member from each congressional district in the State, elected as hereinafter

3 provided, and the Auditor of Public Accounts. The numbers of the now
4 existing State Board of Equalization shall discharge the duties devolved
5 upon said board until the general election in November 1888.

§ 102. [Election—Term of Office—Vacancy.] The qualified electors of
2 each congressional district shall, at the general election in November,
3 eighteen hundred and eighty-eight, and every four years thereafter, elect
4 one of their number to serve as a member of said Board of Equalization,
5 who shall hold his office for four years, and until his successor is elected
6 and qualified. The returns of the poll-books and certificates of election
7 shall be governed by the laws regulating the election of members of Con-
8 gress; and in case of vacancy occurring in said board by death, resignation
9 or otherwise, it shall be the duty of the Governor to appoint some person
10 having the qualifications of an elector in the district in which such vacancy
11 occurs; to fill the same until the next regular election for members of
12 said board.

§ 103. [Oath.] Each member of said board, before entering upon the
2 duties of his office, shall take the oath (or affirmation) prescribed by the
4 constitution of this State.

§ 104. [Chairman—Secretary—Employees.] At the first meeting of said
2 board, quadrennially, it shall organize by selecting one of its members as
3 chairman, and appointing a secretary; and may, from time to time, select
4 such employes as may be deemed necessary. The secretary shall take the
5 oath prescribed by the constitution.

§ 105. [Duties of Secretary.] It shall be the duty of the secretary of
2 said board, under the direction of the Auditor of Public Accounts, to
3 compile the abstracts of assessments received from county clerks, into
4 tabular statements, convenient for the use of the board; which statements
5 and the original abstracts shall be submitted to the board on the first
6 day of its session in each year, or as soon thereafter as the board is
7 organized. The secretary shall perform such duties in vacation as shall be
8 assigned to him by the board.

§ 106. [Annual Meeting of Board.] Said board shall assemble at the State capital on the second Tuesday in the month of August, annually, and examine the abstracts of property assessed for taxation in the several counties of this State, as returned to the Auditor, and shall equalize the assessments as hereinafter provided; but said board shall not reduce the aggregate assessed valuation in the State; neither shall it increase said aggregate valuation, except in such an amount as may be reasonably necessary to a just equalization, and not exceeding ten per cent. on such aggregate assessed valuation; but this rule shall not apply to railroad property.

§ 107. [Property to be Classified.] Said board, in equalizing the valuation of property as listed and assessed in different counties, shall consider the following classes of property separately, viz: personal property; railroad property; lands, and town and city lots; and upon such consideration, determine such rates of addition to or deduction from the listed or assessed valuation of each of said classes of property in each county, or to or from the aggregate assessed value of each of said classes in the State, as may be deemed by the board to be equitable and just—such rates being in all cases even and not fractional; and such rates, as finally determined by said board, shall not be combined.

§ 108. [Rule for Equalizing Personal Property.] In equalizing the value of personal property between the several counties, said board shall cause to be obtained the State averages of the several kinds of enumerated property, from the aggregate footings of the number and value of each; and the value of the several kinds of enumerated property in each county shall be obtained at those average values; and the value of enumerated property thus obtained, as compared with the assessed value of such property, in each county, shall be taken by said board to obtain a rate per cent. to be added to or deducted from the total value of personal property in each county: *Provided*, that whenever, in the opinion of the board, it is necessary, to a more just and equitable equalization of personal property, that a rate per cent. be added to or deducted from the value thus obtained in any one or more of the counties,

13 said board shall have the right so to do; but the rate per cent. hereinbefore
 14 required shall first be obtained to form the basis upon which the equalization
 15 of personal property shall be made.

§ 109. Board to Assess Capital Stock of Corporations, except, etc., Ex-
 2 tension of Tax.: The State Board of Equalization shall assess the capital
 3 stock of each company or association, respectively, now or hereafter incorpor-
 5 ated under the laws of this State, except as otherwise in this act provided.
 6 The respective assessments so made (other than of the capital stock of rail-
 7 road and telegraph companies) shall be certified by the Auditor, under direc-
 8 tion of said board, to the county clerk of the respective counties in which
 9 such companies or associations are located, and said clerk shall extend the
 10 taxes for all purposes on the respective amounts so certified the same as may
 11 be levied on the other property in such towns, districts, villages or cities in
 12 which such companies or associations are located.

§ 110. Board to Assess "Railroad Track" and "Rolling Stock"—Distribu-
 2 tion of Values—Extension of Tax.: Said board shall also assess the rail-
 3 road property denominated in this act as "railroad track" and "rolling
 4 stock;" and said board is hereby given the power and authority, by com-
 5 mittee or otherwise, to examine persons and papers. The amount so
 6 determined and assessed shall be certified by the Auditor, to the county
 7 clerks of the proper counties. The county clerk shall, in like manner, dis-
 8 tribute the value, so certified to him by the Auditor, to the county and
 9 to the several towns, districts, villages and cities in his county entitled to
 10 a proportionate value of such "railroad track" and "rolling stock." And
 11 said clerk shall extend taxes against such values, the same as against other
 12 property in such towns, districts, villages and cities.

§ 111. Capital Stock of Railroads—Distribution of Value—Extension of
 2 Tax.: The aggregate amount of capital stock of railroad companies assessed
 3 by said board shall be distributed proportionately by said board to the sev-
 4 eral counties, in like manner that the property of railroads denominated
 5 "railroad track" is distributed. The amount so determined shall be certi-

6 filed by the Auditor to the county clerks of the proper counties. The
 7 county clerk shall, in like manner, distribute the value, so certified to him
 8 by the Auditor, to the county, and to the several towns, districts, villages
 9 and cities in his county entitled to a proportionate value of such capital
 10 stock. And said clerk shall extend taxes against such values the same as
 11 against other property in such towns, districts, villages and cities.

§ 112. [Lands—How Equalized.] Lands shall be equalized by adding to
 2 the aggregate assessed value thereof, in every county in which said board
 3 may believe the valuation to be too low, such rate per centum as will
 4 raise the same to its proper proportionate value, and by deducting from
 5 the aggregate assessed value thereof, in every county in which said board
 6 may believe the valuation to be too high, such per centum as will reduce
 7 the same to its proper value. Town and city lots shall be equalized in
 8 the same manner herein provided for equalizing lands, and, at the option
 9 of said board, may be combined and equalized with lands.

§ 113. Combined Table—Final Examination. When said board shall have
 2 separately considered the several classes of property as hereinbefore required,
 3 the results shall be combined into one table, and the same shall be examined,
 4 compared and perfected, in such manner as said board shall deem best to
 5 accomplish a just equalization of assessments throughout the State, pre-
 6 serving, however, the principle of separate rates for each class of property.

§ 114. [Failure to return assessments.] In all cases of partial return
 2 from any county where the number of defaulting towns or districts do not
 3 exceed one-third of the whole number of towns or districts in the county,
 4 the Board of Equalization may estimate the valuation in the towns or
 5 districts from which returns have not been received, and may equalize the
 6 total valuation as in other cases. In cases where the defaulting towns or
 7 districts exceed in number one-third of the whole number of towns or
 8 districts in the county, and in all cases of failure on the part of the county
 9 clerk to furnish the proper returns of the assessment of his county to the
 10 Auditor prior to or during the meeting of the Board of Equalization, in

11 each year, said board may, by order, authorize the Auditor to equalize the
 12 assessment of such county when full returns have been received by him.

§ 115. When Equalization Completed.] When said board shall have
 2 completed its equalization of assessments for any year, the chairman and
 3 secretary shall certify to the Auditor the rates finally determined by said
 4 board to be added to or deducted from the listed or assessed valuation of
 5 each class of property in the several counties, and also the amounts assessed
 6 by said board; and it shall be the duty of said Auditor, under his seal of
 7 office, to report the action of the board to the several county clerks, imme-
 8 diately after the adjournment of said board.

§ 116. Proceedings of Board Published, etc.] A report of the proceed-
 2 ings of said Board of Equalization shall be published annually, in pamphlet
 3 form, and five thousand copies thereof printed, of which number each
 4 member shall be entitled to fifty copies, the Auditor to five hundred copies
 5 and the remainder thereof shall be distributed by the Secretary of State
 6 to the several counties, in the proportion usual in similar cases. Said distri-
 7 bution shall be made by mail or express immediately upon the receipt of
 8 said report from the public printer, the cost of such distribution to be paid
 9 by the Secretary of State out of the appropriation for incidental expenses.

§ 117. [Rooms, Fuel, etc.—Compensation.] The Secretary of State shall
 2 furnish such printing, fuel, lights and rooms as may be necessary for the tran-
 3 saction of the business of said board. Each member of said board shall
 4 receive for his services the sum of five dollars per day during its sessions, and
 5 ten cents per mile for each mile necessarily traveled in going to and returning
 6 from the seat of government, to be computed by the Auditor of Public
 7 Accounts, and no other allowance or emolument, directly or indirectly, for any
 8 purpose whatever, except the sum of ten dollars per session to each member,
 9 which shall be in full for postage, stationary, newspapers, and all other inci-
 10 dentals and perquisites. The pay and mileage allowed to each member of
 11 said board and the pay allowed to its secretaries and employees, shall be cer-
 12 tified by the chairman of the board to the Auditor of Public Accounts, who

13 shall issue his warrants on the State Treasurer therefor. Said board may
 14 employ one page, at two dollars per day; two secretaries, at five dollars per
 15 day each; and one janitor or doorkeeper, at three dollars per day. Two-thirds
 16 of the whole number of members shall constitute a quorum, and said board
 17 may adjourn from time to time until the business before it is disposed of.

RATES OF TAXATION.

§ 118. [Extending Rates.] All rates for taxes hereinafter provided for
 2 shall be extended by the county clerk on the assessed valuation of property
 3 as equalized and assessed by the State Board of Equalization.

FOR STATE PURPOSES.

§ 119. [How Rate Found, etc.] The Governor, Auditor and Treasurer
 2 shall annually, on the completion of the assessment and equalization of prop-
 3 erty, ascertain the rate per cent. required to produce the amount of taxes
 4 levied by the General Assembly.

§ 120. [State School Tax.] There shall be annually assessed and collected,
 2 at the same time and in the same manner as other State taxes, such rate of
 3 tax on the equalized valuation of the property of this State as is or may be
 4 provided by the laws concerning free schools, which tax shall be denominated
 5 the "State School Tax," and the moneys arising therefrom be distributed in
 6 such manner as is or may be provided by the laws of this State concerning
 7 free schools; and no part of the fund raised by the aforesaid tax shall be
 8 diverted to or used for any other purpose than the support and maintenance
 9 of free schools in this State.

§ 121. [State Revenues.] The Auditor shall, annually, compute and cer-
 2 tify to the county clerks such separate rates per cent. as will produce the
 3 net amounts of State taxes authorized to be levied.—

4 *First*—For revenue purposes, to be designated "Revenue Fund."

5 *Second*—For interest purposes, to be designated "Interest Fund."

6 *Third*—For State school purposes, to be designated "State School Fund."

7 *Fourth*—For such other taxes as may be required by law to be levied
 8 by him.

9 The "Interest Fund" tax shall be levied so long only as the same may be
10 necessary, and shall be applied to the payment of interest only.

FOR COUNTY PURPOSES.

§ 122. [County Board to Determine.] The county board of the respective
2 counties shall, annually, at the September session, determine the amounts of
3 all taxes to be raised for county purposes, subject to the following limi-
4 tations:

LIMITATIONS.

§ 123. Taxation in this State for the various purposes hereinafter named,
2 except for indebtedness existing before the constitution was adopted, shall
3 not exceed, upon every hundred dollars of valuation—

4 For all county purposes, exclusive of road and bridge purposes, to be
5 imposed by the county board, twenty cents.

6 For all city, incorporated town and village purposes, except school pur-
7 poses, to be imposed by the proper corporate authorities, forty cents.

8 For township purposes, (except for debts incurred prior to the adoption
9 of this law, and for interest on the same,) such rate as may be determined
10 by the vote of electors at the annual town meeting, not exceeding fifteen
11 cents.

12 For educational purposes, to be imposed by the proper authorities, forty
13 cents.

14 For school building purposes, to be imposed when authorized by law, by
15 the proper school authorities, fifty cents.

16 For roads and bridges, to be imposed by the proper authorities, for ordinary
17 purposes, ten cents; for all other purposes, one-fifth of the several rates now
18 allowed to be imposed under all the several restrictions provided for by law;
19 and when any incorporated city, town or village includes an entire township,
20 the township authorities shall not levy any tax for road or bridge purposes.

21 For all park purposes, one-fifth of the several rates now allowed to be
22 levied by the proper authorities, under all the restrictions now provided for
23 by law.

§ 124. Any county, city, town, school district, or other municipal corporation having power to levy taxes may submit to the voters thereof, at a general or special election, a proposition to increase the tax levy for the current year, not exceeding, however, fifty per cent. of the respective rates provided by this act, stating in the election notice all the purposes for which the increase is needed; and if a majority of the legal voters to whom the proposition is so submitted, vote for the same, it shall be lawful to levy the tax so authorized, for that year only.

§ 125. No county, city, township, school district, or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding one per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness.

TOWNS, CITIES, ETC.

§ 126. [Certificate of Rates.] The proper authorities of towns, townships, districts and incorporated cities, towns and villages, collecting taxes under the provisions of this act, shall annually, on or before the second Tuesday in August, certify to the county clerk the several amounts which they severally require to be raised by taxation, anything in their respective charters, or in acts heretofore passed by the General Assembly of this State, to the contrary notwithstanding.

COLLECTOR'S BOOKS—EXTENDING RATES.

§ 127. [Made Annually.] The county clerk shall, annually, make out for the use of collectors, in books to be furnished by the county, correct lists of taxable property, as assessed and equalized.

§ 128. [How Made as to Townships, Cities, etc.] In counties not under township organization, such book shall be made up by congressional townships; but parts of fractional townships, less than full townships, may be added to full townships, at the discretion of the county board. In counties under township organization, said books shall be made to correspond with the organized townships. Separate books may be made for the collection

7 of all taxes within the corporate limits of cities, towns and villages. This
 8 section shall not be construed to interfere with the tax books provided
 9 for in this act, for the use of county collectors, for collecting all taxes
 10 charged against railroad property and the capital stock of telegraph com-
 11 panies.

§ 129. [Books Ruled in Columns.] The respective county clerks shall
 2 cause the collectors' books to be properly ruled for the several classes of
 3 property, providing for each class three columns for values—the first to
 4 show the assessed valuation; the second to show the valuation as cor-
 5 rected and equalized by the county board; and the third to show the
 6 valuation as equalized or assessed by the State Board of Equalization.
 7 Said books to contain proper columns for the extension of the several
 8 kinds of taxes and other purposes.

§ 130. [Rates—How extended.] Said clerks shall extend the rates of
 2 addition or deduction ordered by the county board and State Board of
 3 Equalization, in the several columns provided for that purpose. The rates
 4 per cent. ordered by the State Board of Equalization shall be extended on
 5 the assessed valuation of property, as corrected and equalized by the county
 6 board—except, that in case of railroad property denominated "railroad
 7 track" and "rolling stock," said rates shall be extended on the listed
 8 valuation of such designated property. In all cases of extension of valua-
 9 tions, where the equalized valuation shall happen to be fractional, the
 10 clerk shall reject all such fractions as may fall below fifty cents; fractions
 11 of fifty cents or more shall be extended as one dollar.

§ 131. [Extension of Town, City, etc., Taxes.] The said clerks shall esti-
 2 mate and determine the rate per cent. upon the proper valuation of prop-
 3 erty in the respective towns, townships, districts and incorporated cities,
 4 towns and villages in their counties, that will produce, within the proper
 5 divisions of such counties, not less than the net amount of the several
 6 sums that shall be required by the county board, or certified to them
 7 according to law.

§ 132. [State and County Taxes.] All State and county taxes shall be
 2 extended by the respective county clerks upon the property in their counties,
 3 upon the valuation produced by the equalization and assessment of property
 4 by the State Board of Equalization. Town, district, village, city and other
 5 taxes shall also be extended against such assessed and equalized valuation
 6 of property within their respective jurisdiction. In the extension of taxes,
 7 the fraction of a cent shall be extended as one cent.

§ 133. [Forfeited Property—Back Taxes.] In all cases where any real
 2 property has heretofore been or may hereafter be forfeited to the State for
 3 taxes, it shall be the duty of the clerk, when he is making up the amount
 4 of tax due on such real property for the current year, to add the amount
 5 of back tax, interest, penalty and printers' fees remaining due on such real
 6 property with one year's interest at ten per cent. on all taxes heretofore
 7 forfeited, and twenty-five per cent. on all taxes hereafter levied and for-
 8 feited on the amount of tax due, to the tax of the current year, and the
 9 aggregate amount so added together shall be collected in like manner as
 10 the tax on other real property for that year may be collected: *Provided*,
 11 that the county clerk shall first carefully examine said list, and strike out
 12 therefrom all errors, and otherwise make such corrections as may be nec-
 13 essary with respect to such property or tax.

§ 134. [Statement to Auditor.] When the books or lists for the col-
 2 lectors are completed, the county clerk shall make a complete statement
 3 of the assessment and taxes charged, on blanks, and in conformity to the
 4 instructions furnished to him by the Auditor. The clerk shall record said
 5 statement, and forward it, properly certified, to the Auditor.

§ 135. [State and County Equalized Rates Stated.] It shall be the duty
 2 of the county clerk to make, in each collector's book, a certificate of the
 3 rate of deduction or addition determined by the State Board of Equaliza-
 4 tion in the county to which such books shall pertain; and also the rate of
 5 addition or deduction determined by the county board in the town, district,
 6 city or village to which such book shall pertain.

§ 136. [Collector's Warrant.] To each collector's book a warrant, under
 2 the hand and official seal of the county clerk, shall be annexed, commanding
 3 the collector to collect from the several persons named in said book the several
 4 sums entered in the column of totals opposite their respective names. The
 5 warrant shall direct the collector to pay over the several kinds of taxes that
 6 may be collected by him to the respective officers entitled thereto, less the
 7 compensation for collection allowed him by law. [As amended by an act,
 8 as approved June 2, 1881.] [See §§ 137, 138.]

QUALIFICATION OF TOWN AND DISTRICT COLLECTORS.

§ 137. Bond—Oath. Every town or district collector, before he enters
 2 upon the duties of his office, and within eight days after he receives notice
 3 of the amount of taxes to be collected by him, shall execute a bond, with
 4 two or more securities, to be approved by the county board or supervisor and
 5 town clerk of his town, as the case may require, in double the amount of
 6 such taxes, conditioned for the faithful execution of his duties as such col-
 7 lector. Signatures to such bond signed with a mark shall be witnessed, but
 8 in no other case shall witness be required. Said bond shall be, substantially,
 9 in the following form, to-wit:

10 Know all men by these presents, that we, A B, of the of in the
 11 county of in the State of Illinois, as town (or district) collector, and C
 12 D and E F, of the said county and State, as securities, are held and firmly
 13 bound unto the People of the State of Illinois in the penal sum of
 14 for the payment of which, well and truly to be made, we bind ourselves, our
 15 heirs, executors and administrators firmly by these presents. Signed and sealed
 16 this day of A. D. 18

17 The condition of the foregoing bond is such, that if the above bound A B
 18 shall perform all the duties required to be performed by him as collector of the
 19 taxes for the year 18 in the town (or district) of in the county of
 20 Illinois, in the time and manner prescribed by law, and when he shall be
 21 succeeded in office shall surrender and deliver over to his successor in office

22 all books, papers and moneys appertaining to his said office, then the foregoing
 23 bond to be void; otherwise to remain in full force.

24 A B, (SEAL.)

25 C D, (SEAL.)

26 E F, (SEAL.)

27 He shall also take and subscribe an oath, to be endorsed on the back of the
 28 bond, substantially as follows:

29 I do solemnly swear that I will support the Constitution of the United
 30 States and the Constitution of the State of Illinois, and that I will faithfully
 31 discharge the duties of the office of town (or district) collector according to
 32 the best of my ability.

§ 138. [Bond and Oath Recorded—Lien on Bond.] The chairman of the
 2 county board (or town supervisor, as the case may require,) shall, within six
 3 days thereafter, file such bond, with such approval endorsed thereon, in the
 4 office of the recorder, who shall record the same, including the oath, in a
 5 separate book to be provided for the purpose, and when recorded shall be filed
 6 in the office of the county clerk by the recorder. Said bond, when so filed
 7 for record, shall be a lien against the real estate of such town or district
 8 collector, until he shall have complied with the conditions thereof.

DELIVERY OF COLLECTOR'S BOOKS—WARRANTS.

§ 139. [When Delivered.] The respective county clerks shall, on or before
 2 the twentieth day after the first day of December, annually, or as soon there-
 3 after as the collectors are duly qualified, deliver to them the books for the
 4 collection of taxes; and it shall be the duty of the collectors, within such
 5 time, or as soon thereafter as they are qualified, to call at the clerk's office
 6 and receive said books. The tax book provided for collecting all taxes charged
 7 against railroad property and the capital stock of telegraph companies, shall
 8 be delivered to the county collector within the same time, annually, or as
 9 soon thereafter as he is qualified.

§ 140. [Collector's Warrants.] To each town or district collector's book, a
 2 warrant, under the hand of the county clerk and seal of his office, shall be
 3 annexed, commanding such town or district collector to collect from the sev-

3 eral persons named in said town or district collector's book, the several sums
4 of taxes therein charged opposite their respective names.

§ 141. [Distress for Personal Tax.] In all cases, the warrant shall authorize
2 the town or district collector, in case any person in such collector's book
3 shall neglect or refuse to pay his personal property tax, to levy the same
4 by distress and sale of the goods and chattels of such person; and it shall
5 require all payments therein specified to be made by such town or district
6 collector on or before the tenth day of March next ensuing.

§ 142. [How to Pay Over Taxes Collected.] The warrant shall direct
2 the town or district collector, after deducting the compensation to which
3 he may be legally entitled, to pay over to the proper officers, the amount
4 of tax collected for the support of highways and bridges; and to the super-
5 visor of the town, the moneys which shall have been collected therein to
6 defray town expenses; to the proper school officers, the district school tax;
7 to the city or incorporated town or village treasurer, or other proper officer,
8 the taxes or special assessments collected by him for such city or incorpo-
9 rated town or village, or others, as often, and at such times as may be
10 demanded by the proper officer; and to the county collector, the county tax
11 and the taxes payable to the State treasury collected by him.

§ 143. [County Clerk's Certificate to County Collector.] On the delivery
2 of the tax-books to the town or district collectors, the clerk shall make
3 a certified statement, setting forth the name of each town or district
4 collector, the amount of taxes to be collected and paid over for each
5 purpose for which the tax is levied in each of the several towns or districts,
6 cities and villages, and furnish the same to the county collector.

COLLECTION DISTRICT AND WHO COLLECTOR IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

§ 144. County a District—Sheriff Collector. Each county in this State
2 not under township organization shall be a collection district, for the purposes
3 of this act; and the sheriffs of such counties shall be, respectively, *ex-officio*
4 district collectors of such collection districts.

VACANCIES AND RESIGNATIONS.

§ 145. [How Vacancies Filled—Not to Exonerate Former Collector.] If
 2 any town or district collector in this State shall refuse to serve, or shall die,
 3 resign or remove out of the county, district or town for which he was elected
 4 or appointed, or the office becomes vacated in any other way, before he shall
 5 have entered upon or completed the duties of his office, or shall in any way
 6 be prevented from completing the same, the county or town board, as the
 7 case may require, shall forthwith appoint a collector for the remainder of the
 8 year, who shall give the like security, and be subject to the like penalties, and
 9 have the same power and compensation as the town or district collector in
 10 whose place he was appointed; and the county collector shall forthwith be
 11 notified of such appointment. Such appointment shall not exonerate the
 12 former town collector, or his securities, from any liability incurred by him
 13 or them. No resignation of a town or district collector shall be accepted,
 14 unless sufficient cause is shown; nor shall the person resigning be reappointed
 15 to complete the collections in the same or any other town or district in the
 16 county.

§ 146. [Duty of Appointee.] The town or district collector so appointed
 12 shall keep an account of all collections made by the former collector, so
 3 far as he can ascertain the same; and when any one shall present a receipt
 4 for taxes paid to the former collector, he shall mark against the amount
 5 of such taxes, to whom and when paid.

§ 147. [Extension of Time in Such Case.] In case of such appointment,
 2 the chairman of the county board or the supervisor of the town may extend
 3 the time for the collection of taxes for a period not exceeding twenty days,
 4 of which extension the county collector shall be notified.

COLLECTORS.

§ 148. [Who Collectors.] The treasurers of counties under township
 2 organization, and the sheriffs of counties not under township organization,
 3 shall be *ex-officio* county collectors of their respective counties.

§ 149. [Bond—Oath.] Said collector shall, on or before the first day of
 2 December, annually, or as soon as he is elected and qualified, and before he

3 enters upon the duties of his office as collector, execute a bond, in addition
 4 to his bond as treasurer, in the penal sum of at least double the amount of
 5 State taxes to be collected in the year next thereafter, with two or more
 6 securities, who shall be residents of the said county, and owners of real estate
 7 located within this State equal in value to the amount specified in the bond;
 8 which amount shall be determined, and which bond shall be approved by
 9 the county board. Each name shall be recited, in full, in the body of the
 10 bond. The signatures to such bond signed by a mark shall be witnessed,
 11 but in no other case shall witness be required. Such bond shall be substantially
 12 in the following form, to-wit:

13 Know all men by these presents, that we, A B, collector, and C D and E F,
 14 securities, all of the county of _____ and State of Illinois, are held and
 15 firmly bound unto the People of the State of Illinois, in the penal
 16 sum of _____ dollars, for the payment of which, well and truly to be made,
 17 we bind ourselves, each of us, our heirs, executors and administrators, firmly
 18 by these presents.

19 Signed and sealed this _____ day of _____, 18 ____.

20 The condition of the foregoing bond is such, that if the above bound A B
 21 shall perform all the duties required to be performed by him as collector
 22 of the taxes for the year 18 ____ in the county of _____ in the State
 23 of Illinois, in the time and manner prescribed by law, and when he shall
 24 be succeeded in office shall surrender and deliver over to his successor in
 25 office all books, papers and moneys appertaining to his said office, then the
 26 foregoing bond to be void; otherwise to remain in full force.

27 A B, (SEAL.)

28 C D, (SEAL.)

29 E F, (SEAL.)

30 He shall also take and subscribe an oath, to be indorsed on the back of
 31 the bond, substantially as follows:

32 I do solemnly swear that I will support the Constitution of the United
 33 States and the Constitution of the State of Illinois, and that I will faithfully

34 discharge the duties of the office of county collector according to the best
35 of my ability.

§ 150. [Approved—Recorded—Sent Auditor—Lien.] The collector's bond
2 shall be approved by the county board, and shall be recorded on the records
3 of said board, and forthwith mailed to the Auditor by the county clerk. Said
4 clerk shall attach his certificate to said bond, under the seal of his office,
5 showing that it has been duly approved and recorded. Said bond, when
6 approved and recorded, shall be a lien against the real estate of such collector
7 until he shall have complied with the conditions thereof.

§ 151. [How Otherwise Approved.] The chairman of the county board,
2 the county judge and the county clerk shall have power and authority to
3 approve the bond of the county collector in like manner as the county
4 board has to approve said collector's bond; and said bond, when so approved,
5 shall be subject to the several provisions of this act, the same as if
6 approved by said board.

§ 152. [Approval of Bond by Auditor.] The collector's bond, when
2 received by the Auditor, and if found to be made in conformity to law
3 and the securities satisfactory, shall be filed in his office, and the fact
4 thereof certified to the county clerk. If the Auditor finds said bond to be
5 not in accordance with law, or if he has reason to doubt the sufficiency
6 of the surety, he shall return the bond to the county clerk, who shall
7 notify the collector to make a sufficient bond. If a new bond is required,
8 it shall be approved and recorded, and subject to the requirements of this
9 section, the same as the first bond given by the collector. No tax books
10 or lists shall be placed in the hands of the county collector until the
11 Auditor's certificate, under the seal of his office, has been received by the
12 county clerk, showing that the collector's bond has been received and filed
13 in the Auditor's office. Nothing in this section shall be construed as
14 relieving the securities of a collector from liabilities incurred under a bond
15 not approved and filed by the Auditor.

§ 153. [Discharge of Sureties.] The securities on any bond given in
2 pursuance of this act, or either of them, may at any time after the exe-

3 cution of said bond, if they, or either of them, have good reason to
 4 believe that the officer in said bond is about to fail to comply with the
 5 conditions thereof, file with the county clerk a notice in writing, verified
 6 under oath by the person asking to be discharged, setting forth the facts
 7 in the case and asking to be released from any further liability on said
 8 bond; whereupon, the clerk with whom such notice shall be filed shall
 9 notify the said officer to give additional security, equal to the security
 10 about to be released by the county board, which notice may be served by
 11 the said clerk, or by any person appointed by said board or clerk. If the
 12 officer ~~so~~ notified shall not appear and give additional security within two
 13 days after notification, the county board may remove him from office; and
 14 in all such cases said board shall appoint some person to fill the vacancy
 15 occasioned by such removal, who shall execute bond, qualify, and perform
 16 the duties required as such officer.

§ 154. (When Collector Defaults.) If the securities on any collector's
 2 bond, or either of them, shall be satisfied that such collector is making
 3 improper use of the funds collected by him, or has absconded, or is about
 4 to abscond, from this State, whereby said securities may become liable to
 5 pay any sum or sums of money, it shall be lawful for said security to sue
 6 out a writ of attachment against the goods and chattles of such collector, in
 7 like manner as he would be authorized to do if said collector was personally
 8 indebted to such security, and the money collected on any such attachment
 9 shall be paid into the State, county, town or city treasury by the officer
 10 collecting the same, in like manner as if paid over by the collector.

§ 155. (Death of Collector.) In case of the death of any county collector
 2 during the time the tax books are in his hands, and before the time specified
 3 in this act for making settlements, the county clerk shall demand and take
 4 charge of the tax books. Said clerk shall appoint one or more competent
 5 persons to examine said tax books; and it shall be the duty of the persons so
 6 appointed to ascertain the amount remaining uncollected, and make out a
 7 correct abstract of the same: *Provided*, that should there be but a small
 8 portion of the taxes collected at the time of the death of the collector, then

9 the amount actually collected shall be ascertained, and the same books used
10 in completing the collections.

§ 156. [Deputy Collectors.] Collectors may appoint deputies by an instru-
2 ment in writing, duly signed, and may also revoke any such appointment at
3 their pleasure; and may require bonds or other securities from such deputies
5 to secure themselves. And each such deputy shall have like authority in
6 every respect to collect the taxes levied or assessed within the portion of the
7 county, town, district, village or city assigned to him, which by this act is
8 vested in the collector himself; but each collector shall in every respect be
9 responsible to the State, county, towns, villages, cities, districts and indi-
10 viduals, companies or corporations, as the case may be, for all moneys
11 collected, and for every act done by any of his deputies whilst acting as such,
12 and for any omission of duty of such deputy. Any bond or security taken
13 from a deputy by a collector pursuant to this act shall be available to such
14 collector, his representatives and securities to indemnify them for any loss or
15 damage accruing from any act of such deputy.

§ 157. [Warrants to Deputy Collectors.] The county clerk on being
2 requested by any collector, shall attach a warrant, under his hand and seal
3 of his office, to any list furnished by such collector to his deputy, which
4 warrant shall be in the same manner and form as is required in the original
5 collector's list or book, except that the amount collected by such deputy shall
6 be paid to the collector, who shall pay the same over to the proper officer or
7 persons.

MANNER IN WHICH TAXES ARE TO BE COLLECTED.

§ 157. [Kind of Funds.] The county revenue shall be collected in gold
2 and silver coin, United States legal tender notes, current national bank notes,
3 county orders and jury certificates, and in no other currency. The revenue
4 for State purposes shall be collected in gold and silver coin, United States
5 legal tender notes, current national bank notes, and Auditor's warrants, and
6 in no other currency. The revenue for city purposes shall be collected in
7 gold and silver coin, United States legal tender notes, current national bank
8 notes, city comptroller's, city auditor's or city clerk's warrants or orders on

9 the city treasurer, and in no other currency. State taxes levied for any
 10 special purpose other than to defray the ordinary expenses of the State gov-
 11 ernment, shall be collected in gold and silver coin, United States legal tender
 12 notes, current national bank notes, and in no other currency. All other taxes
 13 shall be collected in gold and silver coin, United States legal tender notes
 14 and in current national bank notes, and in no other currency unless otherwise
 15 specially provided for.

§ 158. [How Collection Made.] Every town collector, upon receiving the
 2 tax book or books, shall proceed to collect the taxes therein mentioned, and
 3 for that purpose shall call at least once on the person taxed, or at his place
 4 of residence or business, if in the town of such collector, and shall demand
 5 payment of the taxes charged to him on his property. *Provided*, that in
 6 counties not under township organization, it shall be the duty of the collector
 7 to give notice in a newspaper published in the county, if any such newspaper
 8 there be, stating when and where he will attend in each precinct for the
 9 purpose of receiving taxes, and also by causing written or printed notices to
 10 be posted in three of the most public places in each precinct, stating the
 11 time when, and the place where, he will be in such precinct for the purpose
 12 of collecting the taxes therein; which said notices shall be published or posted
 13 at least ten days before the time fixed for the collection of such taxes, and
 14 said notices shall be deemed a sufficient demand for said taxes.

§ 159. [Distress for Taxes.] In case any person, company, or corporation
 2 shall refuse or neglect to pay the taxes imposed on him or them, when
 3 demanded, it shall be the duty of the collector to levy the same, together
 with the costs and charges that may accrue, by distress and sale of the per-
 5 sonal property of the person, company or corporation who ought to pay the
 6 same.

§ 160. [Sale of Property Distrained—Supplies.] The collector shall give
 2 public notice of the time and place of sale, and of the property to be sold,
 3 with the name of the delinquent, at least five days previous to the day of
 4 sale, by advertisements, to be posted up in at least three public places in the
 town or district where such sale is to be made. Such sale shall be by public

6 auction, and, if practicable, no more property shall be sold than sufficient to
 7 pay the tax, costs and charges due. If the property distrained shall be sold
 8 for more than the amount of the taxes and charges due, the surplus shall be
 9 returned to the person in whose possession such property was when the dis-
 10 tress was made, if no claim be made to such surplus by any other person. If
 11 any other person shall claim such surplus, on the ground that the prop-
 12 erty sold belonged to him, and such claim be admitted by the person
 13 for whose tax the same was distrained, the surplus shall be paid to such
 14 owner.

§ 161. [Removal Within County.] In case any person against whom a
 2 tax shall be assessed, under the provisions of this act, shall have removed
 4 from one town or district to another town or district in the same county
 5 without paying such tax, it shall be lawful for the collector having the tax
 6 books in which said tax is charged, to levy and collect such tax of the goods
 7 and chattels of the persons assessed, in any town or district within said
 8 county to which such person shall have removed, or from property of such
 9 person wherever the same may be found in said county.

§ 162. [Fees on Distrain.] In levying on and selling personal property
 2 for taxes, the collector shall be governed by the same rules, and be entitled to
 3 the same fees, as constables are or may be for like services on executions;
 4 but in no case shall any collector charge mileage, unless he is compelled to
 5 distrain property.

§ 163. [Removal from County.] In case any person against whom taxes
 2 have been levied, under the revenue laws of this State, in any county, town,
 3 city or district of this State, shall have removed from such county, town,
 4 city or district, after such assessment has been made, and before the collec-
 5 tion of the same, the county clerk, when directed by the county board, shall
 6 issue a warrant under his hand and seal of office, directed to any sheriff, cor-
 7 oner or constable of the county, town, city or district to which such person
 8 may have removed, commanding such officer to whom the warrant may be
 9 directed, to make the amount of such tax, together with the costs and

10 charges that may accrue, from the personal property of the person owing
 11 such tax—distrain and sale of property under this section to be in the same
 12 manner as provided in this act for other cases of distrain and sale of per-
 13 sonal property. The taxes which may be collected under this section shall
 14 be disposed of in the manner required by this act with respect to taxes col-
 15 lected in any other manner. All other parts of this act providing for cases of fail-
 16 ure of officers to pay over taxes, shall apply to all officers collecting taxes
 17 under this section who fail to pay over and correctly account at the proper
 18 time and manner for the taxes collected by them.

§ 164. Collections after Return of County Collector.] The power and
 2 duty to levy and collect any tax due and unpaid, shall continue in and
 3 devolve upon the county collector and his successors in office, after his
 4 return and final settlement, until the tax is paid; and the warrant attached
 5 to the collector's book shall continue in force and confer authority upon
 6 the collector to whom the same was issued, and upon his successors in
 7 office, to collect any tax due and uncollected thereon, although such books
 8 may have been returned, or the tax carried forward into any other book.
 9 This section shall apply to all collector's books and tax warrants heretofore
 10 issued, upon which taxes may be due and unpaid, as well as those here-
 11 after issued.

§ 165. Payment on Part of Tract—Undivided Interest.] The collector
 2 shall receive taxes on part of any lot, piece or parcel of land charged
 3 with taxes, when a particular specification of the part is furnished. If the
 4 tax on the remainder of such lot or parcel of land shall remain unpaid,
 5 the collector shall enter such specification in his return, so that the part
 6 on which the tax remains unpaid may be clearly known. The tax may
 7 be paid on an undivided share of real estate. In such case the collector
 8 shall designate on his record upon whose undivided share the tax has
 9 been paid.

§ 166. Entry of Payment—Form of Receipt—Evidence—Name and Ad-
 2 dress of Owner, etc., Whenever any person shall pay the taxes charged
 3 on any property, the collector shall enter such payment in his book, and

4 give a receipt therefor, specifying for whom paid, the amount paid, what
 5 year paid for, and the property and value thereof on which the same was
 6 paid, according to its description in the collector's books, in whole or in
 7 part of such description, as the case may be; and such entry and receipt shall
 8 bear the genuine signature of the collector or his deputy receiving such
 9 payment, and whenever it shall appear [that any receipt for the pay-
 10 ment of taxes shall be lost or destroyed, the entry so made may
 11 be read in evidence in lieu thereof. The collector shall enter the name
 12 of the owner or the person paying tax opposite each tract or lot of land
 13 when he collects the tax thereon, and the postoffice address of the person
 14 paying such tax.

SWORN STATEMENTS OF COLLECTIONS TO BE MADE—PAYMENTS.

§ 167. [Thirty Days Settlements with Cities, etc.] Town and district
 2 collectors shall, every thirty days, when required to do so by the proper
 3 authorities of incorporated towns, cities and villages, road and school dis-
 4 tricts, for which any tax is collected, render to said authorities a state-
 5 ment of the amount of each kind of tax collected for the same, and at
 6 the same time pay over to such authorities the amount so shown to be collected.

§ 168. [Thirty Day Settlements with County Collector.] Such town and
 2 district collectors shall, every thirty days, render a similar account of the
 3 taxes payable to the State treasury, and of the county taxes, to the county
 4 collectors, and at the same time pay over the amount of such taxes to said
 5 county collector.

§ 169. [Local Taxes to be Paid Over, etc.] Said town and district col-
 1 lectors shall pay over the town, road, school and other local taxes, as may be
 3 directed in the warrant attached to the collector's book.

§ 170. [Final Settlement for Local Taxes Before Return.] Each town and
 2 district collector shall make final settlement for the township, district, city,
 3 village and town taxes charged in the tax books, at or before the time fixed
 4 in this act for paying over and making final settlement for State and county
 5 taxes collected by them. In such settlements said collectors shall be entitled
 6 to credit for the amount of their commissions on the amount collected, and

7 for the amount uncollected on the tax books, as may be determined by the
8 settlement with the county collector.

§ 171. Duplicate Receipts. The officer to whom any such moneys may
2 be paid, under the preceding sections, shall deliver to the collector duplicate
3 receipts therefor.

RETURN OF TOWN AND DISTRICT COLLECTORS TO THE COUNTY COLLECTOR.

§ 172. When Return Made. Town and district collectors shall return
2 the tax books and make final settlement for the amount of taxes placed in
3 their hands for collection, on or before the tenth day of March next after
4 receiving the tax books: *Provided*, that the county collector may first
5 notify, in writing, the several town or district collectors upon what day,
6 within twenty days after the tenth day of March, they shall appear at his
7 office and make final settlement; and at the time of making return to the
8 county collector, each town or district collector in counties under township
9 organization shall make out and deliver to the county collector a detailed
10 statement, in writing, of the amount of taxes he has been unable to col-
11 lect on real estate and from persons charged with personal property taxes,
12 which statement shall show each kind of tax, the same as in the tax
13 book delivered to him by the county clerk, and shall show the number of
14 the page of the tax book and the number of the line of the page on
15 which the item appears to be delinquent; and in case where no taxes have
16 been paid, on any one page on the collector's book, the page footings of
17 the taxes on such page may be copied into such statement. It shall not
18 be necessary to give in the statement the description of the real property
19 delinquent, nor the names of the owners thereof, nor the names of the persons
20 delinquent for personal property taxes. The town or district collector shall
21 add up the delinquent taxes in said statement and make a summary thereof,
22 setting forth the aggregate amount of each kind of tax, and the total delin-
23 quent, in the same manner as in his warrant, and shall make oath that said
23 statement is true and correct.

§ 173. [Form of Return as to Personal Tax.] If any town or district collector shall be unable to collect any tax on personal property charged in the tax book, by reason of the removal or insolvency of the person to whom said tax is charged, or on account of any error in the tax book, he shall, at the time of returning his book to the county collector, note, in writing, opposite the name of each person charged with such tax, the cause of failure to collect the same, and shall make oath that the cause of delinquency or error noted is true and correct, and that such sums remain due and unpaid, and that he has used due diligence to collect the same, which affidavit shall be entered upon said collector's book, and be signed by the town or district collector.

§ 174. [Credits, etc.] Upon the filing of said book, the county collector shall allow the town or district collector credit for the amount of taxes therein stated to be unpaid, and shall credit the same to the several funds for which said tax was charged. When the county collector makes settlement with the county board, such statements shall be sufficient voucher to entitle him to credit for the amount therein stated, less such amount thereof, if any, that may have been collected by him. In no case shall any town or district collector, or county collector, be entitled to abatements for personal property tax until the statement and affidavit are filed.

§ 175. [Form of Return as to Real Estate.] Each town or district collector, at the time of returning his tax book to the county collector, shall make affidavit, to be entered upon such book and subscribed by the collector, that the taxes charged against each tract or lot, or assessment of personal property, remain due and unpaid at the date of making such affidavit in each case where there does not appear in the proper column the amount of such taxes as having been paid to such collector, and the date of payment and the name of any person as having paid the same; which affidavit shall be *prima facie* evidence of the facts therein stated.

§ 176. [To Note What Personal Tax can be Collected from Real Estate.] Each town or district collector shall particularly note, in his returns to the

3 county collector, all cases of personal property tax that he was unable to
4 collect, which can be made from real estate of the persons owing such
5 tax.

§ 177. Suit on Bond. If the town or district collector shall fail to
2 appear and make final settlement, or pay over the amount in his hands
3 when required in this act, the county collector shall forthwith cause the
4 bond of such collector to be put in suit, and recovery may be had thereon
5 for the sum due for all taxes and special assessments, and twenty-five per
6 cent. thereon as damages, with costs of suit.

§ 178. Satisfaction Piece. Upon the final settlement of the amount of
2 taxes directed to be collected by any collector, in any of the towns or
3 districts in this State, the county collector shall, if requested, give to such
4 collector, or any of his securities, a satisfaction piece, in writing.

§ 179. Satisfaction Piece may be Recorded—Effect. Such satisfaction
2 piece may be recorded in the recorder's office, and when so recorded shall
3 operate as a discharge of the securities and the lien upon the property
4 of the collector, except as to all suits commenced upon such bond within
5 three years after the recording of the same.

§ 180. Delinquent defined. All real estate upon which taxes remain due
2 and unpaid on the tenth day of March, annually, or at the time the town or
3 district collector makes return of his books to the county collector, shall be
4 deemed delinquent; and all such due and unpaid taxes shall bear interest after
5 the first day of May at the rate of one per cent. per month until paid or
6 forfeited; parts or fractions of a month shall be reckoned as a month. And
7 all such collections on account of interest shall be paid into the county treasury
8 to be used for county purposes.

RETURN OF DELINQUENT SPECIAL ASSESSMENTS.

§ 181. To County Collector—His Duties—Transfer of Amounts. When
2 any special assessment made by any city, town or village, pursuant to its char-
3 ter, or by any corporate authorities, commissioners or persons, pursuant to law,
4 remain unpaid in whole or in part, return thereof shall be made to the county

5 collector on or before the tenth day of March next after the same shall
 6 have become payable, in like forms as returns are made for delinquent
 7 land tax. County collectors shall collect, account for and pay over the same
 8 to the authorities or persons having authority to receive the same, in like
 9 manner as they are required to collect, account for and pay over taxes. The
 10 county collector may, upon return of delinquent special assessments to him,
 11 transfer the amounts thereof from such returns to the tax books in his hands,
 12 setting down therein, opposite the respective tracts or lots, in proper columns
 13 to be prepared for that purpose, the amount assessed against such tract or lot.

§ 182. [Demand for Assessment when Tax Paid.] When any special
 2 assessment is returned against property, the taxes upon which shall have been
 3 paid to the town or district collector, it shall be the duty of the county collector
 4 to cause demand to be made for the payment of such special assessment, or a
 5 notice thereof to be sent, by mail or otherwise, to the owner, if his place of
 6 residence is known. The certificate of a collector that such demand was
 7 made, or notice given, shall be evidence thereof.

COUNTY COLLECTOR'S RECEIPT—POWERS.

§ 183. [Form of receipt.] On the application of any person to pay any tax
 2 or special assessment upon any real property, it shall be the duty of the county
 3 collector to make out to such person a receipt, in which shall be noted all taxes
 4 and assessments upon such property, returned to such collector and not previ-
 6 ously paid.

§ 184. [Powers to Collect.] County collectors shall have the same powers,
 2 and may proceed in the same manner, for the collection of any tax on real or
 3 personal property, as town or district collectors; and if in any town or collection
 4 district the office of town or district collector is, or shall become vacant, and
 5 such vacancy shall not be filled on or before the tenth day of March next
 6 following such vacancy, or if in any town or collection district the books for
 7 the collection of taxes, for any reason, have not been, or shall not be, delivered
 8 to the town or district collector, on or before the tenth day of March in any
 9 year, the county clerk shall deliver all such collectors' books to the county

10 collector of such county, having annexed to each of such books a warrant
 11 under the hand and official seal of the county clerk, commanding such county
 12 collector to collect from the several persons named in such books, the several
 13 sums of taxes therein charged opposite their respective names, and authorizing
 14 him, in case any person named in such collectors' books shall neglect or refuse
 15 to pay his personal property tax, to collect the same by distress and sale of
 16 the goods and chattels of such person. It shall thereupon be the duty of such
 17 county collector to collect and pay over all taxes, assessments and other charges
 18 shown in such books, and to do all acts required of him by law, in like manner
 19 as if such taxes, assessments and other charges had been duly returned delin-
 20 quent by a town or district collector. The collectors' books so delivered to the
 21 county collector, by the county clerks, shall, for all purposes, in all subsequent
 22 proceedings, be used in the same manner, and have the same force and effect
 23 as if said books were delivered to the town or district collectors, and duly
 24 returned by them, as provided by law. When any injunction restraining the
 25 collection of taxes shall be dissolved after the tax books shall have been returned
 26 to the county collector, such taxes, or the portion thereof upon which such
 27 injunction shall have been dissolved, shall be paid to the county collector,
 28 who shall have the same power and shall proceed in the same manner for the
 29 collection of such taxes as though the same or such portion thereof had never
 30 been enjoined.

ADVERTISEMENT FOR JUDGMENT AND SALE.

§ 185. [Advertisement.] At any time after the first day of April next,
 2 after such delinquent taxes and special assessments on lands and lots shall
 3 become due, the collector shall publish an advertisement, giving notice of
 4 the intended application for judgment for sale of such delinquent lands and
 5 lots, in a newspaper published in his county, if any such there be, and if
 6 there be no such paper printed in his county, then in the nearest news-
 7 paper in this State to the county seat of such county. Said advertisement
 8 shall be once published at least three weeks previous to the term of the
 9 county court at which judgment is prayed, and shall contain a list of the

10 delinquent lands and lots upon which the taxes or special assessments remain
 11 due and unpaid, the names of owners if known, the total amount due
 12 thereon, and the year or years for which the same are due. Said collector
 13 shall give notice that he will apply to the county court at the — term
 14 thereof, for judgment against said lands and lots for said taxes, special
 15 assessments, interest and costs, and for an order to sell said lands and lots
 16 for the satisfaction thereof; and shall also give notice that, on the —
 17 Monday, next succeeding the day fixed by law for the commencement of
 18 such term of the said county court, all the lands and lots for the
 19 sale of which an order shall be made, will be exposed to public
 20 sale at the building where the county court is held in said county,
 21 for the amount of taxes, special assessments, interest and costs due thereon;
 22 and the advertisement published according to the provisions of this section
 23 shall be deemed to be sufficient notice of the intended application for judg-
 24 ment and of the sale of lands and lots under the order of said court.
 25 Where the publisher of any paper that may have been selected by the
 26 collector shall be unable or unwilling to publish such advertisement, the
 27 collector shall select some other newspaper, having due regard to the cir-
 28 culation of such paper.

§ 186. [Proceedings Against Real Estate for Personal Tax.] When it
 2 becomes necessary to charge the tax on personal property against real property,
 3 the county collector shall select for that purpose some particular tract or lots
 4 of real property owned by the person owing such personal property tax; and
 5 in his advertisement for judgment and sale shall designate the particular tract
 6 or lots of real property against which such personal property tax is charged,
 7 and in the list filed for judgment the same facts shall be shown, and the
 8 court shall take cognizance thereof, and give judgment against such tract or
 9 lots of real property for such personal property tax.

§ 187. [Figures, etc., Used—Advertisement, etc.] In all advertisements
 2 for the sale of lands and lots for taxes or special assessments, and in entries

3 required to be made by the clerk of this court or other officer, letters, figures
4 and characters may be used to denote townships, ranges, sections, parts of
5 sections, lots or blocks, or parts thereof, the year or years for which the
6 taxes were due, and the amount of taxes, special assessments, interest and
7 costs; and the whole of the advertisement shall be contained in one edition
8 of such newspaper and its supplement, if such supplement is necessary:
9 *Provided*, that nothing contained in this section shall prevent the county
10 collector from subsequently advertising and obtaining judgment on lands or
11 lots that may have been omitted through no fault of the collector, or that
12 may have been erroneously advertised or described in the first advertisement.

§ 188. When Application for Judgment Made, etc.) All applications for
2 judgment and order of sale for taxes and special assessments on delinquent
3 lands and lots, shall be made at the May term of the county court. If,
4 from any cause, the court shall not be holden at the term at which judgment is
5 prayed, the cause shall stand continued; and it shall not be necessary to
6 re-advertise the list or notice required by law to be advertised before judgment
7 and sale, but at the next regular term thereafter the court shall hear and
8 determine the matter; and if judgment is rendered, the sale shall be made on
9 the Monday specified in the notice, as provided in section one hundred and
10 eighty —, such Monday to be fixed by the county collector in the notice.
11 If, for any cause, the collector is prevented from advertising and obtaining
12 judgment at said term, it shall be held to be legal to obtain judgment at any
13 subsequent term of said court; but if the failure arises by the county collec-
14 tor, not complying with any of the requirements of this act, he shall be held
15 on his official bond for the full amount of all taxes and special assessments
16 charged against him: *Provided*, that any such failure on the part of the
17 county collector shall not be allowed as a valid objection to the collection of
18 any tax or assessment, or to a rendition of judgment against any delinquent
19 lands and lots included in the application of the county collector: *And*,
20 *provided*, further, that on the application for judgment at such subsequent

21 term, it shall not be deemed necessary to set forth or establish the reasons
 22 of such failure.

§ 189. [Copies of Paper Containing Advertisement—Printer's Fee.] The
 2 printer, publisher or financial officer or agent of the newspaper publishing the
 3 list of delinquent lands and lots, shall transmit by mail or other safe convey-
 4 ance to the collector four copies of the paper containing said list, to one of
 5 which copies he shall attach his certificate, under oath, of the due publica-
 6 tion of the delinquent list for the time required by law (which copy shall be
 7 presented by the collector to the county court at the time judgment is
 8 prayed), and said copy shall be filed as a part of the records of said court.
 9 Upon receipt of said papers, and on demand being made, the collector shall
 10 pay to the printer the amount of the fees allowed by law for publishing said
 11 list and notice; and it shall be his duty to file one copy of said paper in his
 12 office, and deliver one copy to the Auditor, and one copy to the State Treas-
 13 urer, who shall file and safely preserve them in their respective offices.

§ 190. [Error in Advertisement.] In all cases where there is an error in
 2 an advertised list, the fault thereof being the printer's, which prevents judg-
 3 ment from being obtained against any tracts or lots or against all of said
 4 delinquent list, at the time stated in the advertisement that judgment will
 5 be applied for, the printer shall lose the compensation allowed by this act
 7 for such erroneous tracts or lots, or entire list, as the case may be.

§ 191. [Delinquent list—Form.] The collector shall transcribe into a book
 2 prepared for that purpose, and known as the tax, judgment, sale, redemp-
 3 tion and forfeiture record, the list of delinquent lands and lots, which shall
 4 be made out in numerical order, and contain all the information necessary
 5 to be recorded, at least five days before the commencement of the term
 6 at which application for judgment is to be made; which book shall set
 7 forth the name of the owner, if known; the proper description of the
 8 land or lot; the year or years for which the tax or special assessments
 9 are due; the valuation on which the tax is extended; the amount of the
 10 consolidated and other taxes and special assessments; the costs and total

11 amount of charges against such land or lot. Said book shall also be ruled
12 in columns, so as to show the amount paid before the rendition of judg-
13 ment; the amount of judgment, and a column for remarks; the amount
14 paid before sale and after the rendition of said judgment; the amount of
15 sale, amount of interest or penalty, amount of cost, amount forfeited to
16 State, date of sale, acres or part sold, name of purchaser, amount of sale
17 and penalty, taxes of succeeding years, interest and when paid, interest and
18 costs, total amount of redemption, date of redemption, when deed executed,
19 by whom redeemed, and a column for remarks, or receipt, of redemption money

§ 192. [Tax may be Paid Before Sale.] Any person owning or claiming
2 lands or lots upon which judgment is prayed, as provided in this act, may,
3 in person or by agent, pay the taxes, special assessments, interest and costs
4 due thereon, to the county collector of the county in which the same are situ-
5 ated at any time before sale.

§ 193. [Payments Reported—List Corrected.] On the first day of the term
at which judgment on delinquent lands and lots is prayed, it shall be the
duty of the collector to report to the clerk all the lands or lots, as the case
may be, upon which taxes and special assessments have been paid, if any,
from the filing of the list mentioned in section one hundred and eighty-
eight up to that time, and the clerk shall note the fact opposite each tract
upon which such payments have been made. The collector, assisted by the
clerk, shall compare and correct said list, and shall make and subscribe an
affidavit, which shall be, as nearly as may be, in the following form:

10 I collector of the county of do solemnly swear or
11 affirm, as the case may be, that the foregoing is a true and correct list of
12 the delinquent lands and lots within the county of upon which I
13 have been unable to collect the taxes and special assessments, interest and
14 printer's fees, if any, charged thereon, as required by law, for the year or
15 years therein set forth; that said taxes now remain due and unpaid, as I
16 verily believe.

17 Said affidavit shall be entered at the end of the list, and signed by the
18 collector.

JUDGMENT.

§ 194. [Proceeding by Court.] The court shall examine said list, and if
 2 defense specifying in writing the particular cause of the objection be offered
 3 by any person interested in any of said lands or lots, to the entry of judg-
 4 ment against the same, the court shall hear and determine the matter in a
 5 summary manner, without pleadings, and shall pronounce judgment as the
 6 right of the case may be. The court shall give judgment for such taxes and
 7 special assessments and penalties as shall appear to be due, and such judg-
 8 ment shall be considered as a several judgment against each tract or lot, or
 9 part of a tract or lot, for each kind of tax or special assessment included
 10 therein; and the court shall direct the clerk to make out and enter an order
 11 for the sale of such real property against which judgment is given, which
 12 shall be substantially in the following form:

13 Whereas, due notice has been given of the intended application for a judg-
 14 ment against said lands and lots, and no sufficient defense having been made
 15 or cause shown, why judgment should not be entered against said lands and
 16 lots for taxes (special assessments, if any,) interest, penalties and costs due
 17 and unpaid thereon for the year or years herein set forth, therefore it is con-
 18 sidered by the court that judgment be and is hereby entered against the
 19 aforesaid tract or tracts, or lots of land, or parts of tracts or lots, as the
 20 case may be, in favor of the people of the State of Illinois, for the sum
 21 annexed to each, being the amount of taxes and special assessments, if any,
 22 interest, penalties and costs due severally thereon; and it is ordered by
 23 the court that the said several tracts of land, or so much of each of
 24 them as shall be sufficient to satisfy the amount of taxes, and special
 25 assessments, if any, interest, penalties and costs annexed to them sever-
 26 ally, be sold as the law directs.

27 Said order shall be signed by the judge. In all judicial proceedings of
 28 any kind, for the collection of taxes and special assessments, all amend-
 29 ments may be made which, by law, could be made in any personal action
 30 pending in such court, and no assessment of property or charge for any
 31 of said taxes shall be considered illegal on account of any irregularity in

32 the tax lists or assessment rolls, or on account of the assessment rolls or
 33 tax lists not having been made, completed or returned within the time
 34 required by law, or on account of the property having been charged or listed
 35 in the assessment or tax list without name, or in any other name than that
 36 of the rightful owner; and no error or informality in the proceedings of any
 37 of the officers connected with the assessment, levying or collecting of the
 38 taxes, not affecting the substantial justice of the tax itself, shall vitiate or in
 39 any manner affect the tax or the assessment thereof; and any irregularity or
 40 informality in the assessment rolls or tax lists, or in any of the proceedings
 41 connected with the assessment or levy of such taxes, or any omission or
 42 defective act of any officer or officers connected with the assessment or levy-
 43 ing of such taxes, may be, in the discretion of the court, corrected, supplied
 44 and made to conform to law by the court, or by the person in the
 45 presence of the court from whose neglect or default the same was occa-
 46 sioned.

§ 195. [Appeals.] Appeals from the judgment of the court may be taken
 2 during the same term to the Supreme Court on the party praying an appeal
 3 executing a bond to the People of the State of Illinois, with two or more
 4 sureties to be approved by the court, in some reasonable amount to be fixed
 5 by the court, conditioned that the appellant will prosecute his said appeal
 6 with effect, and will pay the amount of any tax, assessment and costs which
 7 may finally be adjudged against the real estate involved in the appeal
 8 by any court having jurisdiction of the cause. But no appeal shall be allowed
 9 from any judgment for the sale of lands or lots for taxes, nor shall any
 10 writ of error to reverse such judgment operate as a supersedeas, unless
 11 the party praying such appeal or desiring such a writ of error, shall, before
 12 taking such an appeal or suing out such writ of error, deposit with the
 13 county collector an amount of money equal to the amount of the judg-
 14 ment and costs. If, in case of an appeal or suing out a writ of error, the
 15 judgment shall be affirmed in whole or in part, the Supreme Court shall
 16 enter judgment for the amount of taxes with damages, not to exceed ten
 17 per cent., and order that the amount deposited with the collector, as afore-

18 said, or so much thereof as may be necessary, shall be credited upon the
 19 judgment so rendered, and execution shall issue for the balance of said
 20 judgment, damages and costs. The clerk of the Supreme Court shall transmit
 21 to said county collector, a certified copy of the order of affirmance, and it
 22 shall be the duty of the collector, upon receiving the same, to apply so
 23 much of the amount deposited with him, as aforesaid, as shall be necessary
 24 to satisfy the amount of the judgment of the Supreme Court, and to account
 25 for the same as collected taxes. If the judgment of the county court shall
 26 be reversed and the cause remanded for a rehearing, and if upon the rehear-
 27 ing, judgment shall be rendered for the sale of the lands or lots for taxes,
 28 or any part thereof, and such judgment be not appealed from, or a writ of
 29 error prosecuted with supersedeas issued thereon, as herein provided, the
 30 clerk of the county court shall certify to the county collector the amount
 31 of such judgment, and thereupon it shall be the duty of the county collector
 32 to certify to the county clerk the amount deposited with him, as aforesaid,
 33 and the county clerk shall credit the said judgment with the amount of
 34 such deposit, or so much thereof as will satisfy the judgment, and the
 35 county collector shall be chargeable with, and accountable for, the amount
 36 so credited, as collected taxes. Nothing herein contained shall be construed
 37 as requiring an additional deposit in case of more than one appeal or writ
 38 of error being prosecuted in said proceedings. If, upon a final hearing,
 39 judgment shall be refused for the sale of lands or lots for the taxes, or
 40 any part thereof, the collector shall pay over to the party who shall have
 41 made said deposit, or his legally authorized agent or representatives, the
 42 amount of the deposit, or so much thereof as shall remain after the satis-
 43 faction of the judgment against the premises in respect of which such
 44 deposit shall have been made.

§ 196. [Proceedings in Case of Appeal. If judgment is rendered by any
 2 court, at any time, against any lands or lots, for any tax or special assess-
 3 ment, the county collector shall, after publishing a notice for sale, in
 4 compliance with the requirements of section — of this chapter, proceed to
 5 execute such judgment by the sale of lots and lands against which such

6 judgment has been rendered: *Provided, however, that* in case of an appeal
 7 from any such judgment, the collector shall not sell until such appeal is
 8 disposed of.

SALE OF DELINQUENT LANDS.

§ 197. [Process for Sale.] On the day advertised for sale, the county
 2 clerk, assisted by the collector, shall carefully examine said list upon which
 3 judgment has been rendered, and see that all payments have been properly
 4 noted thereon, and said clerk shall make a certificate to be entered on said
 5 record, following the order of court, that such record is correct, and that
 6 judgment was rendered upon the property therein mentioned for taxes,
 7 interest and costs due thereon, which certificate shall be attested by the clerk
 8 under seal of the court, and shall be the process on which all real property
 9 or any interest thereon shall be sold for taxes, special assessments, interest
 10 and costs due thereon, and may be substantially in the following form:

11 I, _____, clerk of the county court in and for the county
 12 of _____ do hereby certify that the foregoing is a true and correct
 13 record of the delinquent real estate in said county, against which judgment
 14 and order of sale was duly entered in the county court of said county, on
 15 the _____ day of _____, 18____, for the amount of the taxes
 16 special assessments, interest and costs due severally thereon as therein set
 17 forth, and that the judgment and order of court in relation thereto fully
 18 appears on said record.

§ 198. [County Clerk to Assist in Sale.] The county clerk, in person or
 2 by deputy, shall attend all sales of real estate for taxes, made by the
 3 collector, and shall assist at the same.

§ 199. [Entry of Sale—Redemption.] When any tract or lot shall be sold,
 2 it shall be the duty of the clerk to enter on the record aforesaid, the
 3 quantity sold and the name of the purchaser, opposite such tract or lot, in
 4 the blank columns provided for that purpose; and when any such property
 5 shall be redeemed from sale, the clerk shall enter the name of the person
 6 redeeming, the date, the amount of redemption, in the proper column.

§ 200. [Forfeited Tracts Noted.] All tracts or lots forfeited to the State at such sale, as hereinafter provided, shall be noted on said record.

§ 201. [Sale and Redemption Record.] Said book shall be known and designated as the tax judgment sale, redemption and forfeiture record, and be kept in the office of the county clerk.

§ 202. [Manner of Conducting Sale.] The collector, in person or by deputy, shall attend at the court-house in his county on the day specified in the notice for the sale of real estate for taxes, and then and there, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, proceed to offer for sale, separately and in consecutive order, each tract of land or town or city lot in the said list on which the taxes, special assessments, interest or costs have not been paid. The sale shall be continued from day to day until all the tracts or lots in the delinquent list shall have been sold or offered for sale.

§ 203. [How Sold.] The person at such sale offering to pay the amount due on each tract or lot, for the least quantity thereof, shall be the purchaser of such quantity, which shall be taken from the east side of such tract or lot.

LANDS FORFEITED TO STATE.

§ 204. [Lands Forfeited to State—When Taxes Exceed Value of Land, may be Again Sold.] Every tract or lot so offered at public sale, and not sold for want of bidders, shall be forfeited to the State of Illinois: *Provided* however, that whenever the county judge, county clerk and county treasurer shall certify that the taxes on forfeited lands equal or exceed the actual value of such lands, the officer directed by law to expose for sale lands for delinquent taxes, shall, on the receipt of such certificate, offer for sale to the highest bidder the tract or lands in such certificate described, after first giving ten days' notice of the time and place of sale, together with a description of the tract or lands so to be offered. And a certificate of purchase shall be issued to the purchaser at such sale as in other cases in this act provided: and the county collector shall receive credit, in his settlement with the custodian, of the several funds for which such tax was

14 levied, for the amount not realized by such sale. And the amount received
 15 from any such sale shall be paid by such collector, *pro rata*, to the
 16 custodian of the several funds entitled thereto.

§ 205. (Failure of Collector to Attend.) If any collector, by himself or
 2 deputy, shall fail to attend any sale of lands or lots advertised according
 3 to the provisions of this act, and make sale thereof as required by law,
 4 he shall be liable to pay the amount of taxes, special assessments and
 5 costs due upon the lands or lots so advertised. Said collector may after-
 6 wards advertise and sell such delinquent property to reimburse himself for
 7 the amount advanced by him; but at no such sale shall there be any
 8 property forfeited to the State.

§ 206. (Failure of County Clerk to Attend.) If any county clerk shall
 2 fail to attend any tax sale of real estate, either in person or by deputy,
 3 or to make and keep the record, as required by this act, he shall forfeit and
 4 pay the sum of five hundred dollars, and shall be liable to indictment for
 5 such failure, and upon conviction shall be removed from office. Said sum
 6 shall be sued for in an action of debt, in name of the People of the State
 7 of Illinois, and when recovered shall be paid into the county treasury.

§ 207. (Payment by Purchaser.) The person purchasing any tract or lot,
 2 or any part thereof, shall forthwith pay to the collector the amount charged
 3 on such tract or lot, and, on failure so to do, the said tract or lot shall be
 4 again offered for sale in the same manner as if no such sale had been made;
 5 and in no case shall the sale be closed until payment is made, or the
 6 tract or lot again offered for sale.

§ 208. (Certificate of Purchase—Assignable.) The county clerk, on being
 2 requested so to do, shall make out and deliver to the purchaser of any lands
 3 or lots sold as aforesaid, a certificate of purchase, to be countersigned by the
 4 collector, describing the land or lot sold as the same was described in the
 5 delinquent list, date of such sale, the amount of taxes, special assessments,
 6 interest and costs for which the same was sold, and that payment has been
 7 made therefor. If any person shall become the purchaser of more than one
 8 tract or lot, he may have the whole or one or more of them included in one

9 certificate. Such certificate of purchase shall be assignable by indorsement,
 10 and an assignment thereof shall vest in the assignee, or his legal representa-
 11 tives, all the right and title of the original purchaser.

§ 209. [Index to Tax Sale Books.] The county clerk is hereby authorized
 2 to make an index to tax sale records in a book, when furnished by the county,
 3 which index shall be kept in the county clerk's office as a public record, open
 4 to the inspection of all persons during office hours.

CERTIFIED COPY OF SALE LISTS TO BE SENT TO AUDITOR.

§ 210. [In Twenty Days After Sale.] The county clerk shall within twenty
 2 days after any sale for taxes, make out and transmit to the Auditor a tran-
 3 script of sales for taxes, which shall be written on foolscap paper, made up
 4 and stitched in book form, suitable for binding. The clerk shall certify to
 5 the correctness of said transcript, under the seal of his office. Said list shall
 6 not include any tracts or lots forfeited to the State at such sale. The county
 7 clerk, for failure to make out, furnish or forward said list, as herein required,
 8 shall forfeit and pay into the State treasury the sum of five hundred dollars,
 9 to be recovered in an action of debt, in the name of the People of the State
 10 of Illinois, in any court in this State having competent jurisdiction.

REDEMPTION.

§ 211. [Time of Redemption—Amount, etc.] Real property sold under the
 2 provisions of this act may be redeemed at any time before the expiration
 3 of two years from the date of sale, by payment in legal money of the
 4 United States, to the county clerk of the proper county, the amount for
 5 which the same was sold, and twenty-five per cent. thereon if redeemed
 6 at any time before the expiration of six months from the day of sale; if
 7 between six and twelve months, fifty per cent.; if between twelve and
 8 eighteen months, seventy-five per cent.; and if between eighteen months
 9 and two years, one hundred per cent. on the amount for which the same
 10 was sold. The person redeeming shall also pay the amount of all taxes
 11 and special assessments accruing after such sale, with ten per cent. interest
 12 thereon from the day of payment, unless such subsequent tax or special
 13 assessment has been paid by or on behalf of the person for whose benefit

14 the redemption is made, and not by the purchaser at the tax sale, or his
 15 assignee. If the real property of any minor, heir, idiot or insane person be
 16 sold for non-payment of taxes or special assessments, the same may be
 17 redeemed at any time after sale and before the expiration of one year after
 18 such disability be removed, upon the terms specified in this section, and
 19 the payment of ten per cent. per annum on double the amount for which the
 20 same was sold, from and after the expiration of two years from the date of
 21 sale; which redemption may be made by themselves, or by any person in
 22 their behalf. Tenants in common or joint tenants shall be allowed to redeem
 23 their individual interest in real property sold under the provisions of this
 24 act, in the same manner and under the terms specified in this section for
 25 the redemption of other real property. Any redemption made shall inure
 26 to the benefit of the person having the legal or equitable title to the
 27 property redeemed, subject to the right of the person making the same to be
 28 reimbursed by the person benefited.

§ 212. When Purchaser Suffers Land to be Sold Again.—If any pur-
 2 chaser of real estate sold for taxes or special assessment shall suffer the
 3 same to be forfeited to the State, or again sold for taxes or special assess-
 4 ment, before the expiration of the last day of the second annual sale there-
 5 after, such purchaser shall not be entitled to a deed for such real property
 6 until the expiration of a like term from the date of the second sale or
 7 forfeiture, during which time the land shall be subject to redemption, upon
 8 the terms and conditions prescribed in this act; but the person redeeming
 9 shall only be required to pay for the use of such first purchaser, the amount
 10 paid by him. The second purchaser, if any, shall be entitled to the redemp-
 11 tion money, as provided for in the preceding section: *Provided, however,* it shall
 12 not be necessary for any municipal corporation which shall bid in its own
 13 delinquent special assessments, at any sale, in default of other bidders, to
 14 protect the property from subsequent forfeitures or sales, as above required
 15 in this section.

§ 213. Books, etc., Evidence, etc. The books and records belonging to
 2 the office of the county clerk, or copies thereof, certified by said clerk, shall

3 be deemed *prima facie* evidence to prove the sale of any land or lot for
4 taxes or special assessments, the redemption of the same, or payment of
5 taxes or special taxes thereon. The county clerk shall, at expiration of his
6 term of office, pay over to his successor in office all moneys in his hands
7 received for redemption from sale for taxes on real estate.

§ 214. Sales in Error—Entry. Whenever it shall be made to appear,
2 to the satisfaction of the county clerk, that any tract or lot was sold
3 which was not subject to be taxed, or upon which taxes or special assess-
4 ments had been paid previous to the sale, he shall make an entry oppo-
5 site to such tracts or lots in the sale and redemption record that the same
6 was erroneously sold, and such entry shall be *prima facie* evidence of the
7 fact therein stated.

§ 215. Purchaser at Erroneous Sale Paid Back. When the purchaser
2 at such erroneous sale, or any one holding under him, shall have paid any
3 tax or special assessment upon the property so sold, which has not been
4 paid by the owner of the property, he shall have the right to recover
5 from such owner the amount he has so paid, with ten per cent. interest,
6 as money paid for the owner's use.

§ 216. Effect of Receipt of Redemption Money. The receipt of the
2 redemption money of any tract of land or lot, by any purchaser, or the return
3 of the certificate of purchase for cancellation, shall operate as a release of
4 all the claim to such tract or lot, under or by virtue of the purchase.

TAX DEEDS.

§ 217. Notice. Hereafter no purchaser, or assignee of such purchaser,
2 of any land, town or city lot, at any sale of lands or lots for taxes or
3 special assessments, due either to the State or county, or incorporated town
4 or city within the same, or at any sale for taxes or levies otherwise, by
5 the laws of this State, shall be entitled to a deed for lands or lots so pur-
6 chased, until the following conditions have been complied with, to-wit:
7 Such purchaser or assignee shall serve, or cause to be served, a written or
8 printed, or partly written or partly printed, notice of such purchase on every
9 person in actual possession or occupancy of such land or lot; also, the

10 person in whose name the same was taxed or specially assessed, if, upon
 11 diligent inquiry, he or she can be found in the county; also, the owners
 12 of or parties interested in said land or lot, if, they can, upon diligent
 13 inquiry, be found in the county, at least three months before the expira-
 14 tion of the time of redemption on such sale; in which notice he shall
 15 state when he purchased the land or lot, in whose name taxed, the descrip-
 16 tion of the land or lot he has purchased, for what year taxed or specially
 17 assessed, and when the time of redemption will expire. If no person is in
 18 possession or occupancy of such land or lot, and the person in whose name
 19 the same was taxed or specially assessed, upon diligent inquiry, cannot be
 20 found in the county, or the owners of, or parties interested in said land
 21 or lot, upon diligent inquiry, cannot be found in the county, then such
 22 person, or his assignee, shall publish such notice in some newspaper printed
 23 in such county; and, if no newspaper is printed in said county, then in
 24 the newspaper that is published in this State nearest to the county seat
 25 of the county in which such land or lot is situated, which notice shall
 26 be inserted three times, the first time not more than five months, and the last
 27 time not less than three months, before the time of redemption shall expire;
 28 *Provided, however,* that if the owners of said land or lot, or the parties
 29 interested therein, cannot be found in the county, and the person in the actual
 30 occupancy is tenant to, or is in possession under the owner or party inter-
 31 ested therein, then service of said notice upon such tenant or occupant
 32 shall be deemed service upon the owner or party interested: *And, provided,*
 33 *further,* that if the owners or parties interested are unknown to such pur-
 34 chaser, or his assignee, then the said publication, as to them, may be to the
 35 unknown owner or parties interested.

§ 218. [Affidavit—Evidence—Perjury.] Every such purchaser or assignee,
 2 by himself or agent, shall, before he shall be entitled to a deed, make an
 3 affidavit of his having complied with the conditions of the foregoing section,
 4 stating particularly the facts relied on as such compliance, which affidavit
 5 shall be delivered to the person authorized by law to execute such tax deed.

6 and which shall by him be filed with the officer having custody of the record
 7 of the lands and lots sold for taxes and entries of redemption in the county
 8 where such lands or lots shall lie, to be by such officer entered on the records
 9 of his office, and carefully preserved among the files of his office, and which
 10 record or affidavit shall be *prima facie* evidence that such notice has been
 11 given. Any person swearing falsely in such affidavit shall be deemed guilty
 12 of perjury and punished accordingly.

§ 219. [Printer's Fee.] In case any person shall be compelled to publish
 2 such notice in a newspaper, then before any person who may have a right to
 3 redeem such lands or lots from such sale shall be permitted to redeem, he
 4 shall pay the officer or person who by law is authorized to receive such
 5 redemption money, the amount paid for printer's fee for publishing such
 6 notice, for the use of the person compelled to publish such notice as afore-
 7 said; the fee for such publication shall not exceed one dollar for each tract
 8 or lot contained in such notice.

§ 220. [When Entitled to Deed.] At any time after the expiration of two
 2 years from date of sale of any real estate for taxes or special assessments,
 3 if the same shall not have been redeemed, the county clerk, on request, and
 4 on the production of the certificate of purchase, and upon compliance with
 5 the three preceding sections, shall execute and deliver to the purchaser, his
 6 heirs or assigns, a deed of conveyance for the real estate described in such
 7 certificate.

§ 221. [Deed May Include Several Tracts—Fee.] When any person shall
 2 hold more than one certificate of purchase at the same sale, and for the
 3 same year's tax or special assessment, the clerk shall, on the request of the
 4 holder of such certificates, include as many tracts or lots described therein
 5 in the deed of conveyance as such person may desire, and for which deed the
 6 county clerk shall have a fee of fifty cents for each certificate embraced
 7 therein: *Provided*, that no greater fee than three dollars shall be charged
 8 upon any one deed.

§ 222. [Form of Tax Deed.] The deed so made by the county clerk under
 2 the official seal of his office, shall be recorded in the same manner as other

5 was subject to taxation at the time the same was assessed, and had been listed
 6 and assessed in the time and manner required by law. *Second*—That the taxes
 7 or special assessments were not paid at any time before the sale. *Third*—That
 8 the real estate conveyed had not been redeemed from the sale at the date of the
 9 deed. *Fourth*—That the real estate was advertised for sale in the manner and
 10 for the length of time required by law. *Fifth*—That the real estate was sold for
 11 taxes or special assessments, as stated in the deed. *Sixth*—That the grantee
 12 in the deed was the purchaser or assignee of the purchaser. *Seventh*—That the
 13 sale was conducted in the manner required by law. And any judgment for the
 14 sale of real estate for delinquent taxes rendered after the passage of this act,
 15 except as otherwise provided in this section, shall estop all parties from raising
 16 any objections thereto, or to a tax title based thereon, which existed at or before
 17 the rendition of such judgment, and could have been presented as a defense to
 18 the application for such judgment in the court wherein the same was rendered,
 19 and as to all such questions the judgment itself shall be conclusive evidence
 20 of its regularity and validity in all collateral proceedings, except in cases where
 21 the tax or special assessments have been paid, or the real estate was not liable
 22 to the tax or assessment.

§ 226. [When Deed Must be Taken Out.] Unless the holder of the certifi-
 2 cate for real estate purchased at any tax sale under this act, takes out the deed
 3 as entitled by law, and files the same for record within one year from and after
 4 the time for redemption expired, the said certificate or deed, and the sale on
 5 which it is based, shall, from and after the expiration of such one year, be abso-
 6 lutely null. If the holder of such certificate shall be prevented from obtaining
 7 such deed by injunction or order of any court, or by the refusal of the clerk to
 8 execute the same, the time he is so prevented shall be excluded from the
 9 computation of such time. Certificates of purchase and deed executed by the
 10 county clerk shall recite the qualifications required in this section.

FORFEITED PROPERTY.

§ 227. [Redemption or Purchase of Forfeited Property.] If any person
 2 shall desire to redeem or purchase any tract of land or lot forfeited to the State,
 3 he shall apply to the county clerk, who shall issue his order to the county

4 collector, directing him to receive from said person the amount due on said tract
 5 or lot, which shall in no case be less than ten per cent. on all taxes heretofore
 6 forfeited, and twenty-five per cent. on all taxes hereafter levied and forfeited, in
 7 addition to the tax, special assessments, interest and printer's fees due thereon,
 8 particularly describing the property and setting forth the amount due; and
 9 upon presentation of said order to the county collector, he shall receive said
 10 amount and give the person duplicate receipts therefor, setting forth a descrip-
 11 tion of the property and the amount received—one of which shall be counter-
 12 signed by the county clerk, and when so countersigned shall be evidence of the
 13 redemption or sale of the property therein described, as the case may be, but no
 14 such receipt shall be valid until it is countersigned by the county clerk. The
 15 other receipt shall be filed by the county clerk in his office, and said clerk shall
 16 make a proper entry of the redemption or sale of the property on the books in
 17 his office, and charge the amount of the redemption or sale money to the
 18 county collector. In cases of sales, the collector and clerk shall make the
 19 receipt in the form of a certificate of purchase. Property purchased under this
 20 section shall be subject to redemption, notice, etc., the same as if sold at
 21 regular public tax sale.

§ 228. Report and Payment of Money Collected on Forfeited Land. It
 2 shall be the duty of the county clerk, annually, when he makes return of the
 3 amount of taxes levied, to report to the Auditor the amount due the State
 4 on account of the redemption and sales of such forfeited property, and said
 5 Auditor shall charge the same to the collector. If the collector who received
 6 said redemption or sale money shall be succeeded in office, he shall pay the
 7 amount in his hands over to his successor, who shall pay said amount into the
 8 State treasury when he settles for the taxes of the current year.

§ 229. Sale of Forfeited Property—Back Tax Added.—The amount due
 2 on lands and lots previously forfeited to the State, and remaining unpaid on the
 3 first day of November, shall be added to the tax of the current year, and the
 4 amount thereof shall be reported against the county collector, with the amount
 5 of taxes for said year; and the amount so charged shall be placed on the tax
 6 books, collected and paid over in like manner as other taxes. The county

7 collector is hereby authorized to advertise and sell said property, in the manner
 8 hereinbefore required by this act, as if said property had never been forfeited to
 9 the State; and the county, city, town or school district may, by their agent,
 10 attend such sale for taxes, and buy said lands and acquire the same rights that
 11 individuals now have under the law; and acquire, hold, sell and dispose of said
 12 title thereto the same as and in the same manner as individuals may do under
 13 the laws of this State, in case of sale for taxes. Said additions and sales
 14 shall be continued from year to year until the taxes on said property are paid,
 15 by sale or otherwise.

§ 230. Suit by County, City, etc., for Tax on Forfeited Property. The
 2 county board may, at any time, institute suit in an action of debt, in the
 3 name of the People of the State of Illinois, in any court of competent
 4 jurisdiction, for the whole amount due on forfeited property; or any county,
 5 city, town, school district, or other municipal corporation, to which any
 6 such tax may be due, may at any time, institute suit in an action of
 7 debt in its own name, before any court of competent jurisdiction, for
 8 the amount of such tax due any such corporation on forfeited property,
 9 and prosecute the same to final judgment. The county board may also,
 10 at any time, institute suit in an action of debt in the name of the People
 11 of the State of Illinois, in any court of competent jurisdiction, against
 12 any person, firm or corporation, for the recovery of any personal property
 13 tax due from such person, firm or corporation, and, in any such suit for the recovery
 14 of personal property tax, the return of the county collector that such taxes are
 15 delinquent shall be *prima facie* evidence that such taxes are due and unpaid, but
 16 the fact that such taxes are due and unpaid may be proven by other competent
 17 testimony. This act shall apply to all taxes heretofore levied against any
 18 person, firm or corporation, and now upon any assessment book or roll,
 19 and on the sale of any property following such judgment, on execution or
 20 otherwise, any such county, city, town, school district, or other municipal
 21 corporation, interested in the collection of said tax, may become purchaser
 22 at such sale of either real or personal property, and if the property so

21 sold is not redeemed (in case of real estate) may acquire, hold, sell and
 22 dispose of the title thereto, the same as individuals may do under the
 23 laws of this State; and, in any such suit or trial for forfeited taxes, the
 24 fact that real estate or personal property is assessed to a person, firm or
 25 corporation, shall be *prima facie* evidence that such person, firm or corpo-
 26 ration was the owner thereof, and liable for the taxes for the year or
 27 years for which the assessment was made, and such fact may be proved
 28 by the introduction in evidence of the proper assessment book or roll, or
 29 other competent proof.

FINAL SETTLEMENT OF COUNTY COLLECTOR.

§ 231. Statement to County Clerk. On or before the third Monday
 2 in June, annually, the county collector shall make out and file with the
 3 county clerk a statement in writing, setting forth, in detail, the name of
 4 each person charged with personal property tax which he has been unable
 5 to collect, by reason of the removal or insolvency of the person charged
 6 with such tax, the value of the property, and the amount of tax, the
 7 cause of inability to collect such tax, in each separate case, in a column
 8 provided in the list for that purpose. Said collector shall, at the same
 9 time, make out and file with the county clerk a similar detailed list of
 10 errors in assessment of real estate, and errors in footing of tax books,
 11 giving in each case a description of the property, the valuation and
 12 amount of the several taxes and special assessments, and cause of error. The
 13 truth of the statements contained in such lists shall be verified by affidavit
 14 of the county collector. County collectors, in cases of removals and insol-
 15 vencies, may give, as the cause of inability to collect, the same cause as
 16 sworn to by the town or district collectors, stating in their return the
 17 fact that such was the statement made by the town or district collector,
 18 and that such tax still remains uncollected.

§ 232. [Credit on Forfeited Property—Printer's Fee.] If any lands or
 2 lots shall be forfeited to the State for taxes or special assessments, the
 3 collector shall be entitled to a credit in his final settlement for the amount
 4 of the several taxes and special assessments thereon, the county to allow

5 the amount of printer's fees thereon, and be entitled to said fees, so allowed,
6 when collected.

§ 233. [Settlement with County Board.] On the third Monday in June,
2 annually, the county board shall settle with and allow the county collector
3 credit for such allowance as he may be legally entitled to.

§ 234. [When Collector to Account with Clerk.] If there be no session
2 of the county board held at the proper time for settling and adjusting
3 the accounts of the county collector, it shall be the duty of the collector to
4 file the lists with the county clerk, who shall examine said lists and correct
5 the same, if necessary, in like manner as said board is required to do. Said
6 county clerk shall make an accurate computation of the value of the property,
7 and the amount of the delinquent tax and special assessments returned, for
8 which the collector is entitled to credit.

§ 235. [Clerk to Certify to Auditor.] The county clerk shall immediately,
2 in either case, certify to the Auditor of Public Accounts the valuation of
3 property, and the amount of State taxes due thereon, for which the collector
4 may be allowed credit.

§ 236. [Clerk to Certify to Local Authorities, etc.] The county clerk
2 shall also, at the same time, certify to the several authorities or persons with
3 whom the county collector is to make settlement, showing the valuation of
4 property and amount of taxes and special assessments due thereon, allowable
5 to said collector in the settlement of their several accounts.

§ 237. [Credits on Final Settlement—Examination of Accounts, etc.] The
2 Auditor and other proper authorities or persons shall, in their final settle-
3 ments with the collector, allow him credit for the amount so certified. *Pro-*
4 *vided*, that if the Auditor or such other proper authorities or persons shall
5 have reason to believe that the amount stated in said certificate is not cor-
6 rect, or that the allowance was illegally made, he or they shall return the
7 same for correction; and when the same shall appear to be necessary in the
8 opinion of the Auditor or such other proper authorities or persons, he or
9 they shall designate and appoint some competent person to examine the col-
10 lector's books and settlement, and the person so designated and appointed

11 shall have access to the collector's books and papers appertaining to such
12 collector's office or settlement, for the purpose of making such examination.

§ 238. Final Order, Corrections, etc.—In all cases when the adjustment
2 is made with the county clerk, the county board shall, at the first session
3 thereafter, examine such settlement, and if found correct shall enter an order
4 to that effect; but if any omission or error is found, said board shall cause
5 the same to be corrected, and a correct statement of the facts in the case
6 forwarded to the Auditor and other proper authorities or persons, who shall
7 correct and adjust the collector's accounts accordingly.

PARTIAL SETTLEMENT OF COUNTY COLLECTORS.

§ 239. April Statement to Clerk.—On or before the tenth day of April,
2 annually, after he has made settlement with town or district collectors, the
3 county collector shall make a sworn statement showing the total amounts of
4 each kind of tax received by him from town or district collectors, and the
5 total amount of each collected by himself—which statement shall be filed in
6 the office of the county clerk.

§ 240. Clerk to Notify Auditor, etc.—Amount Due.—The clerk shall
2 immediately, on the receipt of such statement, certify to the Auditor, and to
3 other proper authorities or persons, the amount for which the collector is
4 required to settle with them severally.

§ 241. April Payment to State Treasurer.—The county collector shall,
2 on or before the fifteenth day of April following, pay over to the State
3 Treasurer the taxes in his hands, payable to the State treasury, as shown
4 by the statement required by section — of this act.

§ 242. Effect of Failure of Collector to Obtain Judgment.—The fail-
2 ure of any county collector to obtain judgment shall not prevent him
3 from presenting his statement of credits, and making settlement for taxes
4 and special assessments in his hands, at the time required by this act;
5 but if, from no fault of the collector, he fail to obtain judgment and sale
6 of delinquent real estate at the time required by this act he shall be
9 allowed, in his settlements, a temporary credit for the amount of taxes
10 and special assessments in such delinquent list, which delinquent taxes and

11 special assessments shall be accounted for and paid immediately after sale
12 is had.

§ 243. April Payments to Local Authorities.] He shall, within the
2 same time, pay over to the other proper authorities or persons, the amounts
3 so shown to be in his hands, and payable to them.

§ 244. To Pay Cities, etc., Every Ten Days.] The county collector
2 shall report and pay over the amount of tax and special assessments due
3 to towns, districts, cities, villages, corporations and persons, collected by
4 him on delinquent property, at least once in every ten days, when demanded
5 by the proper authorities or persons.

§ 245. [Failure to Make Report—Suit.] Any county collector failing to
2 make the reports and payments hereinbefore required, for five days after the
3 time specified for that purpose, or after demand made as aforesaid, the Audi-
4 tor, or such other authorities or persons, may bring suit upon the collector's
5 bond.

§ 246. [Failure to Account and Pay Over—Suit.] If any county collector
2 fails to account and pay over as required in the preceding sections, his office
3 may be declared vacant by the county board, or by any court in which suit is
4 brought on his official bond.

FINAL SETTLEMENT OF THE COUNTY COLLECTOR FOR STATE TAXES.

§ 247. [Manner of Making Settlement.] The county clerk shall make out
2 and deliver to the county collector, as soon as adjustment is made with the
3 county board or county clerk, annually, the statements, certificates and lists
4 appertaining to the settlement of the accounts of such collector; which state-
5 ment, certificates and lists shall be made out in proper form, under his seal of
6 office, on blanks which it is hereby made the duty of the Auditor to furnish,
7 annually, for that purpose. The collector shall deliver the same at the office
8 of the Auditor, and make a final settlement of his accounts, and pay the
9 amount due the State into the State Treasury on or before the first day of
10 July next after receiving the tax books: *Provided*, that in all cases where the
11 statements, certificates and lists appertaining to the final settlement of a col-
12 lector, are on file with the Auditor, on or before the first day of July, the

13 Auditor shall not charge interest on the balance found due on the account of
 14 such collector, for fifteen days after mailing said Auditor's statement showing
 15 balance due the State on such collector's account: *Provided, further,* that
 16 this section shall not be held to relieve any collector from the payment of
 17 interest charged on his account by reason of failure to make payment to the
 18 State, at other time or times, as required by this or any other act of the Gen-
 19 eral Assembly of this State.

§ 248. [Duplicate Statement of Auditor.] The county clerk shall furnish
 2 a duplicate copy of said statement, duly certified, whenever requested so to
 3 do by the Auditor. If the statement of credits herein required, or any of the
 4 items therein, are objected to by the Auditor, he shall return the statement
 5 to the county clerk, stating his objections, and said clerk shall examine and
 6 correct or explain the same satisfactorily, and return the statement to said
 7 Auditor.

§ 249. [Overpayment Refunded.] If any collector shall have paid, or may
 2 hereafter pay into the State treasury, any greater sum or sums of money
 3 than are or may be legally and justly due from such collector, after deducting
 4 abatements and commissions, the auditor shall issue his warrant for the amount
 5 so overpaid, which shall be paid out of the fund or funds so overpaid on said
 7 warrant.

§ 250. [How Paid into Treasury—Duplicate Receipt.] Upon ascertaining
 2 the amount due to the State from any collector or other person, the Auditor
 3 shall give such person a statement of the amount to be paid, and upon the
 4 presentation of such statement to State Treasurer, and the payment of the
 5 sum stated to be due, the Treasurer shall give duplicate receipts therefor, one
 6 of which shall be filed in the Auditor's office, and entered in a book to be
 7 kept for that purpose, and the other shall be countersigned by the Auditor
 8 and delivered to the person making the payment; and no payment shall be
 9 considered as having been made until the Treasurer's receipt shall be coun-
 10 tersigned by the Auditor as aforesaid.

§ 251. [Interest on Money Due State.] Any collector failing to pay into the
 2 State treasury the amount due to the State, on his account for State

3 and other taxes, at the time or times required by this act, shall pay
 4 interest at the rate of ten per cent per annum from the time the same
 5 became due under this act until the same is paid; and it shall be the
 6 duty of the Auditor to charge such interest to the account of every collector
 7 failing to pay at the time or times required in this act. In no case shall
 8 the Auditor be permitted to remit such interest, unless satisfactory evidence
 9 from the county board is presented to him, showing, by official action
 10 taken by such board, lawful cause why the collector could not pay over,
 11 in part or in whole, the amount due on such collector's account with the
 12 State.

§ 252. [Auditor's Certificate of Settlement—Filing Same.] Upon the final
 2 settlement of any account with the State, the Auditor shall give the
 3 collector duplicate certificates, under his seal of office, setting forth that
 4 said collector has settled and paid into the State treasury the full amount
 5 due from him on said account; and it shall be the duty of the collector
 6 to file one of said certificates in the office of the county clerk, on or before
 7 the first day of August next after receiving the tax books. If any collector
 8 shall neglect or refuse to file one of said certificates as above required,
 9 the county clerk shall leave a written notice at the office of said collector,
 10 requiring him to appear before the county court, at the September term
 11 thereof, and show cause why he has not filed the certificate aforesaid; and
 12 if the collector shall not show that he has paid over the full amount due
 13 from him, and made a final settlement with the State and county or that
 14 he has a lawful excuse for failing to do so, his office as collector and treas-
 15 urer shall be declared vacant by said court, and the same filled as in
 16 other cases of vacancy by reason of death or otherwise.

LIENS OF TAXES ON REAL PROPERTY.

§ 253. [First Lien on Real Property—Foreclosure and Sale in Equity.] The
 2 taxes upon real property, together with all penalties, interests and costs that
 3 may accrue thereon, shall be a prior and first lien on such real property, supe-
 4 rior to all other liens and incumbrances, from and including the first day of May
 5 in the year in which the taxes are levied until the same are paid; which lien

6 may be foreclosed in equity, in any court of competent jurisdiction, in the name
 7 of the People of the State of Illinois, whenever taxes for two or more years,
 8 upon the same description of property, shall have been forfeited to the State,
 9 and may be sold under the order of the court, by the person having authority
 10 to receive State and county taxes, with the same notice to interested parties
 11 and right of redemption from said sale as is now provided by law, and in con-
 12 formity with sections four (4) and five (5) of article 9 of the constitution of
 13 this State. In proceedings to foreclose the tax lien on any real property, the
 14 amount due on the collector's books against the said property shall be *prima*
 15 *facie* evidence of the amount of taxes against the real property. When any
 16 taxes are collected in any such foreclosure proceedings, they shall be paid to the
 17 county collector, to be distributed by him to the respective authorities entitled
 18 thereto.

§ 254. [Tax on Personalty.] The taxes assessed upon personal property
 2 shall be a lien upon the personal property of the person assessed, from and
 3 after the time the tax books are received by the collector.

§ 255. [Real and Personal Tax.] Personal property shall be liable for
 2 taxes levied on real property, and real property shall be liable for taxes levied
 3 on personal property; but the tax on personal property shall not be charged
 4 against real property, except in cases of removals, or where said tax cannot
 5 be made out of the personal property; but the tax on real property may be
 6 made out of personal property, at any time after the tax becomes due, by
 7 any collector having the tax-books in his hands, by distraint and sale, in the
 8 manner provided in this act: *Provided*, that judgment against real property,
 9 for non-payment of taxes thereon, shall not be prevented by showing that the
 10 owner thereof was possessed of personal property subject to distraint; and
 11 no person shall be subject to have his personal property distrained and sold
 12 for tax on real estate, which may have been listed and assessed in his name,
 13 when he makes oath, or otherwise satisfies the collector that he did not
 14 own such real property on the preceding first day of May.

§ 256. [Lien in Favor of Agent, etc., for Tax Paid.] When property is
 2 assessed to any person as agent for another, or in a representative capacity,

3 such person shall have a lien upon such property, or any property of his
 4 principal in his possession, until he is indemnified against the payment
 5 thereof, or if he has paid the tax, until he is reimbursed for such payment.

WHO NOT ELIGIBLE AS BONDSMAN.

§ 257. [Certain Officers.] No judge of the county court, chairman of the
 2 county board, clerk of the circuit court, county clerk, sheriff, deputy sheriff or
 3 coroner shall be permitted to be a surety on the bond of a county, town,
 4 district or deputy collector or county treasurer.

LIABILITY ON BONDS.

§ 258. [Specified.] The bond of every county, town or district collector shall
 2 be held to be security for the payment by such collector to the State treasurer,
 3 county treasurer, and the several cities, towns and villages, and proper
 4 authorities and persons, respectively, of all taxes and special assessments
 5 which may be collected or received by him on their behalf, by virtue of any
 6 law in force at the time of giving such bond, or that may be passed or take
 7 effect thereafter.

§ 259. [Suit by Auditor.] Upon the failure of any collector to make
 2 settlement with the Auditor, or to pay money into the State Treasury, it
 3 shall be the duty of the Auditor to sue the collector and his sureties upon
 4 the bond of such collector, or to sue the collector in such form as may be
 5 necessary, and take all such proceedings, either upon such bond or other-
 6 wise, as may be necessary to protect the interests of the State.

§ 260. [Jurisdiction—Power of Court.] When suit is instituted in behalf
 2 of the State, it may be in either division of the Supreme Court, or in the
 3 Sangamon county circuit court, or in any court of record in this State
 4 having jurisdiction of the amount; and process may be directed to any
 5 county in the State. In any proceeding against any officer or person whose
 6 duty it is to collect, receive, settle for or pay over any of the revenues of the
 7 State, whether the proceeding be by suit on the bond of such officer or person,
 8 or otherwise, the court in which such proceeding is pending shall have power,
 9 in a summary way, to compel such officer or person to exhibit, on oath, a full
 10 and fair statement of all moneys by him collected or received, or which ought

11 to be settled for or paid over, and to disclose all such matters and things as
 12 may be necessary to a full understanding of the case; and the court may, upon
 13 hearing, give judgment for such sum or sums of money as such officer or
 14 person is liable in law or equity to pay. And if, in a suit upon the bond of
 15 any such officer or person, he or his sureties, or any of them, shall not for any
 16 reason be liable upon the bond, the court may, nevertheless, give judgment
 17 against such officer or person, or against such officer and such of his sureties
 18 as are liable, for the amount he or they may be liable to pay, without regard
 19 to the form of the action or pleadings.

§ 261. Proceedings in Suit on Bond by Others.1. When suit has been
 2 instituted by the Auditor, any party aggrieved may proceed under the judgment
 3 obtained upon the bond, by writ of inquiry of damages, as in other cases upon
 4 bonds.

§ 262. When Bond Sued by City, Town, etc.: Cities, towns, villages or
 2 corporate authorities, or persons aggrieved, may prosecute suit against any
 3 collector or other officer, collecting or receiving funds for their use, by suit
 4 upon the bond, in the name of the People of the State of Illinois, for their
 5 use, in any court of competent jurisdiction, whether the bond has been put in
 6 suit at the instance of the Auditor or not; and in case of judgment thereon
 7 the Auditor may, if he shall so elect, have a writ of inquiry of damages for
 8 any amount that may be due to the State treasury from such officer. Cities,
 9 towns, villages, and other corporate authorities or persons, shall have the same
 10 rights in any suits or proceedings in their behalf as is provided in case of
 11 suits by or in behalf of the State.

§ 263. Fees when State Sues.2 The State shall pay like fees as are
 2 or may be allowed by law in suits between individuals; and in all cases
 3 when the State is plaintiff, it shall advance and pay such fees in like
 4 manner as individuals are required to advance and pay fees; and when
 5 the State becomes the purchaser of real property sold on execution for
 6 any debt due the State, the officer selling such real estate shall be entitled
 7 to like commissions as he would have been entitled to had such property

8 been purchased by an individual—said fees and commissions to be paid on
 9 the warrant of the Auditor, out of any money in the treasury appropriated
 10 for that purpose; and when such fees are collected they shall be paid into
 11 the State treasury.

SALE OF REAL ESTATE ON EXECUTION IN BEHALF OF THE STATE—REDEMPTION.

§ 264. [Notice of Levy Given Auditor—He to Purchase in—Redemp-
 2 tion.] When real estate shall be levied upon to satisfy any judgment in
 3 favor of the State, it shall be the duty of the officer making such levy,
 4 to transmit by mail, to the Auditor, at least twenty days before the day
 5 of sale, a correct statement, showing the description, and value of said
 6 property in cash; the truth of said statement shall be attested by the
 7 oath of said officer. Said officer shall, at the same time, furnish the Au-
 8 ditor with an abstract of title of the property levied upon, the expense
 9 thereof to be charged and collected as costs. And the Auditor is hereby
 10 authorized and required to purchase in his name, for the use of the
 11 People of the State of Illinois, at a price not exceeding two-thirds of said
 12 value, so much of said property as may be required to pay the amount
 13 of the judgments and costs aforesaid; and it shall be the duty of the
 14 officer making such sale to forward to the Auditor a certificate of purchase,
 15 and make his return, as required in other cases of sales on execution.
 16 Any person desiring to redeem all or part of said property from such sale,
 17 shall pay the amount of redemption money into the State treasury, and
 18 thereupon the Auditor shall indorse such payment on the back of the cer-
 19 tificate of purchase aforesaid, and deliver it to the person so paying, which
 20 shall have the same effect as redemptions have in other cases; but no
 21 real estate purchased as aforesaid shall be considered redeemed from such
 22 sale until the redemption money is paid into the State treasury. Such
 23 certificate may be recorded in the recorder's office of the county in which
 24 such real property is situated, and shall operate as a release of record of
 25 such property.

§ 265. [Payment of Money Collected.] All moneys received by any sheriff

2 or other officer, on execution, in behalf of the State, shall be paid by such
3 officer to the State Treasurer, or to the collector of his county, as may be
4 directed by the Auditor, within twenty days after demand is made by said
5 Auditor. Said demand may be made by any person authorized by the Auditor.

§ 266. [When Real Property not Redeemed—Timber, etc.] If any real

2 estate, purchased by the State on execution, shall not be redeemed within the
3 time required by law, it shall be the duty of the Auditor to obtain a deed or
4 deeds therefor; which he shall cause to be recorded in a book kept for that
5 purpose in his office, and shall take such steps as he shall deem necessary to
6 protect the timber or fixtures thereon from being lost or destroyed.

DOUBLE PAYMENT AND ASSESSMENT—REFUNDING.

§ 267. [Payment by Different Claimants—Return, etc.] Whenever the taxes

2 on the same property shall have been paid more than once, for the same year,
3 by different claimants, the county collector shall make a return to the county
4 clerk of all such surplus taxes so received by him, together with the names
5 of the several claimants thus paying. Certified copies of the said return, or
6 of record thereof by the county clerk, or of the county clerk's report, by
7 the Auditor, shall be *prima facie* evidence in all courts, when the same
8 shall come in question, of the payment of tax on the property therein
9 described for the year or years therein mentioned. The county clerk shall
10 make a full record of all such cases, and transmit a certified copy thereof to
11 the Auditor, who shall charge such collector with the portion of such surplus
12 taxes belonging to the State. The town or district collectors shall report such
13 cases to the county collector, and he to the county clerk.

§ 268. [Double Assessment or Payment—Refunding.] If any real property

2 shall be twice assessed for the same year, or assessed before it becomes tax-
3 able, and the taxes so erroneously assessed shall have been paid, either at sale
4 or otherwise, or have been twice paid by different claimants, the county board,
5 on application of the person paying the same, or his agent, and being satisfied
6 of the facts in the case, shall refund the taxes thus paid, and shall charge back to

7 each of the several funds for which such taxes were levied, their proportion of
 8 said tax. The county shall re-imburse itself out of any moneys in its posses-
 9 sion, or that may afterwards come into its possession belonging to said funds.
 10 In case of double payments of special assessments, the amount erroneously
 11 paid shall be refunded to the proper claimant by the city, village or district
 12 making such special assessment. If any county, town or district collector shall
 13 receive the taxes or special assessments properly due on any real property,
 14 and the same shall afterwards be sold for said taxes or special assessments, he
 15 shall refund to the purchaser thereof, if application be made within three
 16 years from the date of said sale, double the amount of purchase money and
 17 all expenses of advertising said real estate under this act, requiring real estate
 18 purchased at tax sales to be advertised, including costs of deeds. Any col-
 19 lector neglecting or refusing to pay as required by this section, shall be liable
 20 to the county, or person in interest, in an action of debt in any court having
 21 jurisdiction. [See §213.]

WHEN RECORDS ARE DESTROYED.

§ 269. [New Assessment.] When assessment rolls or collector's books, in
 2 whole or in part, of any county, town, city, incorporated village or district,
 3 shall be lost or destroyed by any means whatever, a new assessment or new
 4 books, as the case may require, shall be made under the direction of the county
 5 board. Said board shall, in such cases, fix reasonable times and dates for per-
 6 forming the work of assessment, equalization, levy, extension and collection of
 7 taxes, and paying over the same, or making new books, as the circumstances
 8 of the case may require. All the provisions of this act shall apply to the dates
 9 fixed by the county board, in the same manner that they apply to the dates
 10 for similar purposes, as fixed by this act. The county board is hereby fully
 11 empowered to select and appoint persons, where it may find the same nec-
 12 sary, to carry into effect the provisions of this section.

OTHER DUTIES OF AUDITOR.

§ 270. [When a Locality does not Pay its Share of Tax.] Whenever it
 2 shall come to the knowledge of the Auditor that any county, township, city,

3 district or town, or any well defined locality thereof, or any particular class of
 4 property therein, has heretofore been or may hereafter be released, from any
 5 cause whatever, from its just proportion of State taxes, said Auditor shall
 6 cause suit to be commenced in an action of debt, in the name of the People
 7 of the State of Illinois, either against the municipality or against the property
 8 unjustly released from taxation, or the owners thereof, for the amount of such
 9 tax, in the Supreme Court of this State, in either division thereof; and when
 10 judgment may be recovered in any such case, the Auditor shall levy a rate
 11 of tax on the equalized valuation of all property or particular class of property
 12 in such county, township, city, district, town or locality, as the case may be,
 13 as will pay the State the amount of such judgment and costs; and it shall be
 14 the duty of the county clerk of the proper county to extend such rate of tax
 15 with the State tax of the year directed in the Auditor's certificate. Any county
 16 clerk neglecting or refusing to extend such rate, as certified to him by the
 17 Auditor, shall be removed from his office, and in addition thereto shall be sub-
 18 ject to a fine of five thousand dollars, and damages caused by such neglect or
 19 refusal, to be sued for by the Auditor, in an action of debt, in the name of
 20 the People of the State of Illinois, in either division of the Supreme Court of
 21 this State: *Provided*, that in cases where the Auditor and proper local
 22 authorities of the proper municipality can arrange to make such levy to reim-
 23 burse the State in such cases without suit, the Auditor is hereby authorized
 24 to pursue such course.

§ 271. Auditor may Sell Property Bought In by State.] The Auditor is
 2 authorized to sell, transfer and convey, by deed, any and all real estate that
 3 may have been heretofore, or may be hereafter, purchased or taken in pay-
 4 ment, to satisfy any judgment or any execution in favor of the State, by this State,
 5 or by any officer of this State, for the benefit and use of the State, to any person
 6 or persons who may pay into the State treasury the full amount paid by the
 7 State for said property, including costs, and six per cent. interest thereon,
 8 from the date of said sale to the time of such payment: *Provided*, that
 9 the sale of the real estate, in part or in whole, may be made at such

10 price, not less than the price paid for such part or whole of the property,
 11 as the case may be, as the judge of the county court, chairman of the
 12 county board, and the sheriff of the county in which the estate is situated,
 13 shall certify the same to be worth, or, if not sold in one year from and
 14 after the expiration of the time of redemption now or hereafter allowed by
 15 law, said property may, if the Auditor thinks the valuation fair, be sold by
 16 said Auditor upon and for any valuation of said property which may be
 17 appraised and certified by the judge of the county court, chairman of the
 18 county board and sheriff of the county in which such property is situated.

§ 272. [Abstracts, United States, Canal and Illinois Central Railroad Lands.]

2 On the first day of May in each year, or as soon thereafter as practicable,
 3 the Auditor shall obtain from the United States land office in this State
 4 abstracts of the lands entered and located, and not previously obtained, and
 5 shall, at the same time, obtain from the Illinois Central railroad and canal
 6 offices, abstracts of the Central Railroad and canal lands sold. Upon the receipt
 7 of said abstracts, the Auditor shall cause them to be transcribed into the tract
 8 books in his office, and shall, without delay, cause abstracts of the lands in
 9 each county, including school lands reported to his office as having been sold,
 10 to be made out and forwarded by mail to the county clerks of the several
 11 counties; and said clerks shall cause such abstracts to be transcribed into the
 12 tract book, and filed in their office. The expense of procuring and furnish-
 13 ing the abstracts required by this section, shall be paid by the Auditor out
 14 of the appropriation for the expenses of his office.

§ 273. [Forms—Instructions—Opinions.] It shall be the duty of the Auditor

2 to make out and forward to each county clerk, from time to time, for the
 3 use of such clerks and other officers, suitable forms and instructions; and all
 4 such instructions shall be strictly complied with by the officers in the per-
 5 formance of their respective duties. He shall give his opinion and advice
 6 on all questions of doubt as to the true intent and meaning of the provis-
 7 ions of this act. [See § 289.]

§ 274. [Act Published.] The Auditor shall, as soon as practicable after the
 2 passage of this act, cause the same to be correctly printed, in pamphlet form,
 3 and transmit to each county clerk a sufficient number of copies thereof for
 4 the use of the several county, town and district officers, and said clerk shall
 5 deliver the same to the proper officers.

§ 275. [Swamp Lands.] The county clerks of the several counties shall,
 2 annually, report to the Auditor a list of the swamp and overflowed lands
 3 sold in their respective counties for the year ending on the first day of May,
 4 and the Auditor shall enter the same in the tract books of his office.

OMITTED PROPERTY—SAVING CLAUSES.

§ 276. [When Discovered, Listed and Tax Added—Personal Tax.] If any
 2 real or personal property shall be omitted in the assessment of any year or
 3 number of years, or the tax thereon, for which such property was liable,
 4 from any cause has not been paid, or if any such property, by reason of
 5 defective description or assessment thereof, shall fail to pay taxes for any
 6 year or years, in either case the same, when discovered, shall be listed and
 7 assessed by the assessor, and placed on the assessment and tax books. The
 8 arrearages of tax which might have been assessed, with ten per cent. interest
 9 thereon, from the time the same ought to have been paid, shall be charged
 10 against such property by the county clerk. It shall be the duty of county
 11 clerks to add uncollected personal property tax to the tax of any subsequent
 12 year, whenever they may find the person owing such uncollected tax assessed
 13 for any subsequent year.

§ 277. [Tax not Collected Added to Subsequent Year.] If the tax or
 2 assessment on property liable to taxation is prevented from being collected
 3 for any year or years, by reason of any erroneous proceeding or other cause,
 4 the amount of such tax or assessment which such property should have
 5 paid may be added to the tax on such property for any subsequent year, in
 6 separate columns, designating the year or years.

§ 278. [Not Prior to Date of Ownership—Notice.] No such charge for tax
 2 and interest for previous years, as provided for in the preceding section, shall

3 be made against any property prior to the date of ownership of the person own-
 4 ing such property at the time the liability for such omitted tax was first ascer-
 5 tained: *Provided*, that the owner of property, if known, assessed under this
 6 and the preceding section, shall be notified by the assessor or clerk, as the
 7 case may require.

§ 279. [Special Assessment—Return Limited.] When any special assess-
 2 ment is not returned to the county collector on or before the first day of March
 3 next after it is due, the same may be returned on or before the first day of
 4 March in the succeeding year, and, if not then returned, it shall be considered
 5 barred, unless return is prevented by an injunction or order of court; and the
 6 time such return is thus prevented shall be excluded from the computation of
 7 such time.

§ 280. [Failure to Complete Assessment in Time not to Vitate.] A failure
 2 to complete an assessment in the time required by this act shall not vitiate
 3 such assessment, but the same shall be as legal and valid as if completed in
 4 the time required by law.

§ 281. [Informality not to Vitate.] No assessment of real or personal prop-
 2 erty, or charge for taxes thereon, shall be considered illegal on account of any
 3 informality in making the assessment, or in the tax lists, or on account of the
 4 assessments not being made or completed within the time required by law.

§ 282. [Failure to Deliver Tax Books not to Vitate.] Any failure to deliver
 2 the collector's books within the time required by this act shall in no way affect
 3 the validity of the assessment and levy of taxes, but in all cases of such failure,
 4 the assessment and levy of taxes shall be held to be as valid and binding as if
 5 said books had been delivered at or within the time required by law.

§ 283. [Wrong Name not to Vitate.] No sale of real estate for taxes shall
 2 be considered invalid on account of the same having been charged in any other
 3 name than that of the rightful owner.

WHO MAY ADMINISTER OATHS.

§ 284. Any oath authorized to be administered under this act may be administered by any assessor or deputy assessor, or by any other officer having authority to administer oaths.

§ 285. [Collector—Neglect to Obtain Judgment, etc.] If any collector shall, by his own neglect, fail to obtain judgment at the May term of the county court, or shall fail to present his list of delinquencies on personal property, or errors in assessment of real estate, at the time required by this act, he shall lose the benefit of any abatement to which he might have been entitled, and shall pay to the State and county the full amount charged against him, after deducting the fees allowed by this act for collecting and paying over taxes. If the county court is not held at the May term, the collector shall have further time to pay over the amount due on the delinquent list.

COUNTY TO FURNISH BOOKS AND BLANKS.

§ 286. [Clerk to Procure.] The county board shall direct the county clerk to procure all necessary books and blanks required by this act to be used in the assessment of property and collection of taxes, at the expense of the county.

COUNTY FUNDS—MANNER OF KEEPING ACCOUNT THEREOF.

§ 287. [By Collector, etc.] The county collector shall, on the first day of every month, report to the county clerk, in writing, the amount of county tax received by him during the preceding month, showing what amount of said tax was received in money, and what amount in county orders and jury certificates. The county collector shall keep his account as collector of taxes separate from his account as county treasurer. He shall credit his account as collector with the amount of his monthly reports to the county clerk, and with the amount of insolvencies, removals, errors, forfeitures, and other credits allowed him on settlement with the county board; and, as county treasurer, he shall charge himself with the amount shown in his monthly report to the county clerk, as aforesaid, and such other amounts as may come into his hands as county treasurer; and he shall, as such treasurer, at the close of each month, cancel the county orders and jury certificates in his hands, and return the same with

14 a descriptive list, giving numbers and amounts properly footed, to the county
 15 clerk, who shall carefully compare and file the same in his office, subject to
 16 the order of the county board, and give the treasurer a receipt for the same
 17 which receipt shall be the evidence upon which the county treasurer shall take
 18 credit in his accounts as such treasurer, with the county, subject to the
 19 approval of the county board. The county board shall examine such account
 20 and vouchers, at such time or times, by committee or otherwise, as may be
 21 deemed requisite.

§ 288. [By Clerk, etc.] Each county clerk shall keep an account with the
 2 county collector, charging him with the amount of county tax placed in his
 3 hands for collection, and with the county tax received by him from sales and
 4 redemptions of forfeited property, and with any other funds belonging to the
 5 county that shall come into the collector's hands, and shall credit him with the
 6 amounts ascertained as required in the preceding section, charged to the county
 7 treasurer's account monthly; also, with amount of county tax on insolvencies,
 8 removals, errors, forfeited property, etc., whenever ascertained in the manner
 9 required by this act. The county clerks shall also keep a treasurer's account
 10 with the county treasurer of their respective counties. The treasurer shall be
 11 charged with the amount of money, county orders and jury certificates reported
 12 in the collector's monthly statements required to be made in the preceding
 13 section, and all amounts paid to the county treasurer from other sources than
 14 the county revenue tax; and it is hereby made the duty of all persons paying
 15 money into the county treasury, for all purposes except the county taxes, to
 16 first obtain from the county clerk an order on the treasurer to receive the
 17 same; and the treasurer shall give the person so paying duplicate receipts
 18 therefor, one of which shall be countersigned by the county clerk, and retained
 19 by the person paying over the amount and the other filed in the county clerk's office
 20 and the amount thereof charged against the treasurer. The treasurer's account
 21 shall be credited, monthly, with the amount of county orders and jury certificates
 22 cancelled and filed in the county clerk's office, as required in the preceding section.

§ 289. [Bridges on Border of the State—How Assessed.] That all bridge
 2 structures across any navigable streams forming the boundary line between the

3 State of Illinois and any other State, shall be assessed by the township or
 4 other assessor in the county or township where the same is located as real
 5 estate; and all provisions of law relating to the assessment and taxation of
 6 real estate, shall apply to the assessment and taxation of such bridges. Such
 7 assessor shall give in his description the quarter section, section, township and
 8 range in which such bridge is located or terminates in this State, together
 9 with the metes and bounds of the ground occupied by such bridge, and the
 10 approaches thereto from the end on the Illinois shore to the centre of the
 11 main channel of the stream crossed by the same. For the purpose of obtain-
 12 ing such description the assessor may employ a competent surveyor, and the
 13 expense of making such survey and description shall be charged as a tax
 14 against such property by the county clerk, on the certificate of the surveyor:
 15 *Provided*, that one survey of any bridge and approaches, made under this act,
 16 shall be deemed sufficient for the purpose of subsequent assessment of such
 17 bridge or approaches.

§ 290. Sale of Bridge, etc., for Tax. In default of the payment of any
 2 such tax assessed against any such bridge company, as aforesaid, such bridge,
 3 structure, and approaches thereto, so far as the same are located within this
 4 State, together with the land on which the same is located, as described by
 5 the assessor, and the franchise belonging thereto, shall be sold for such
 6 tax at the same time and in the same manner as other real estate shall be
 7 sold in such county for delinquent tax, and any county, city, town, school
 8 district or other municipal corporation interested in the collection of the tax
 9 levied upon such bridge, may become the purchaser at such sale, or at any
 10 sale of such property under judgment recovered upon, or to enforce the col-
 11 lection of such tax; and if the property so sold is not redeemed, may acquire,
 12 hold, sell and dispose of the title thereto.

INSURANCE COMPANIES.

§ 291. The insurance business in this State shall be taxed as follows:

2 Every insurance company or association doing any insurance business of any
 3 kind whatever in this State, shall, between the first and twentieth days of January
 4 in each year, make and deliver to the Auditor a statement in writing, showing:

6 *First*—The number of policies issued by the company or association on prop-
 7 erty in this State, or on the life or health of any resident or citizen of this
 8 State, and on marine risks taken in this State during the preceding calendar
 9 year.

10 *Second*—The gross amount of premiums, in cash, notes or other securities
 11 or values, received in this State during the preceding year upon all policies
 12 covered by paragraph one.

13 *Third*—The amount of premiums returned on cancelled policies covered by
 14 paragraph one.

15 *Fourth*—The place where the principal office of the company is kept in this
 16 State.

§ 292. At the time of delivering such statement to the Auditor the company
 2 or association making the same shall pay to the State Treasurer a tax of two
 3 per cent. of the gross amount of premiums received by it on the said policies,
 4 after the amount of premiums returned on cancelled policies has been deducted
 5 therefrom.

§ 293. Every such statement shall be signed and sworn to as full and true
 2 by the general or chief officer, or agent of the company in this State, or by
 3 some other agent to be designated by the Auditor of Public Accounts, and
 4 shall be in such form as may be prescribed by him.

§ 294. No company or association paying the tax provided for in section
 2 291 hereof, shall be liable to pay any license fees, or any other kind of tax
 3 whatever in this State except taxes on tangible property. If any insurance
 4 company or association shall neglect or refuse to make any statement as hereby
 5 required, or shall neglect or refuse to pay the tax herein provided for, for
 6 thirty days after the statement is due hereunder, the said company or asso-
 7 ciation shall be liable in an action of assumpsit, to be brought by the State,
 8 for the tax, with interest thereon at the rate of one per cent. per month from
 9 the twentieth day of January in the year the tax was due hereunder, and if
 10 any such tax shall remain unpaid for six months after said day, the corporate
 11 existence of the company or association in default, if it is a corporation of this

12 State, shall cease, and its corporate franchises be forfeited; and upon a bill in
 13 equity brought by the State against any company or association not complying
 14 with this act, it and all its officers and agents may be enjoined from carrying on
 15 directly or indirectly any business in this State, and a receiver may be
 16 appointed to wind up its affairs, and such orders made as may be deemed
 17 proper to secure the collection of all taxes due with interest thereon, and dis-
 18 tribute the remainder of its property.

TELEGRAPH COMPANIES.

§ 295. The business of telegraphy in this State shall be taxed as follows:

2 Every person and corporation owning, using, operating or controlling any
 3 telegraph or telegraph line in this State, for toll or hire, shall, between the
 4 first and twentieth days of January, in each year, make and deliver to the
 5 Auditor a statement, in writing, showing

6 *First*—The length of such line of telegraph in this State, so owned, used,
 7 operated or controlled by the person or corporation.

8 *Second*—When more than one wire is used, then the number and the length
 9 of each additional wire.

10 *Third*—The principal office of such person or corporation in this State.

§ 296. At the time of delivering such statement to the Auditor, the person
 2 or corporation making the same shall pay to the State Treasurer a tax of fifty
 3 cents per mile of such wire, where only one wire is used, and twenty-five
 4 cents per mile for each additional mile of wire so used by said company.

§ 297. Every such statement shall be signed and sworn to as true by such
 2 person or the general or chief officer or agent of such company in this State,
 3 and may be in such form as the State Auditor may prescribe.

§ 298. If any person or corporation mentioned in section — shall neglect
 2 shall neglect or refuse to make any statement thereby required, or shall neglect
 3 or refuse to pay the tax herebefore provided for, for thirty days after the
 4 20th day of January, in the year in which such statement is due, such person
 5 shall be liable, and every such company shall be liable in an action of assumpsit,
 6 to be brought by the State, for the said tax, with interest thereon at the rate
 7 of three per cent. per month from said day, and any such person or corpora-

tion may upon a bill in equity be enjoined by the State from prosecuting by himself or itself, or his or its agents, directly or indirectly, the business of telegraphy in the State until such tax and interest is paid.

§ 299. No such person or corporation paying the tax herein provided for shall be required to pay any license to prosecute said business, or any tax upon any property used in prosecuting such business, except real estate. *Provided*, that poles, wire and right-of-way shall not be deemed real estate for the purposes of this section. *Provided further*, that when any telegraph line is owned or controlled by a railroad company, and used by it exclusively in the operation of its railroad, such line or lines shall be deemed a part of such railroad property and subject to the provisions of this act relative to the assessment and taxation of railroad property.

§ 300. In case judgment is rendered in any court for any such tax or tax and interest, execution may issue directing the sheriff of the proper county to sell so much of all the property, rights, privileges and franchises of the judgment debtor in this State as may be necessary to satisfy the judgment and costs.

TELEPHONE COMPANIES.

§ 301. The business of maintaining telephones in this State shall be taxed as follows:

Every person and corporation in this State, owning, using, operating or controlling for hire or compensation, any telephone exchange or line shall, between the first and twentieth days of January in each year, make and deliver to the Auditor a statement in writing, showing:

1. The number of telephone instruments connected with the line or exchange of such person or corporation, or used in connection with or as part of the same.

2. The terminal points of the line or lines of any such person or corporation, where such line or lines are not wholly within some city or village.

3. The place where the principal office of such person or corporation in this State is kept.

14 4. The place or places where the exchange or exchanges are located.

§ 302. At the time of delivering such statement to the Auditor, the person
 2 or corporation making the same shall pay to the State Treasurer a tax of
 3 two dollars for each telephone connected with, or part of any such line or
 4 exchange, or in any manner used in connection with or as part of the
 5 same: *Provided*, that where a receiving telephone and a transmitting tele-
 6 phone are used together at the same station they shall be considered one
 7 telephone.

§ 303. No person or corporation paying the tax herein provided for, shall
 2 be required to pay any license to carry on said business, or any tax upon any
 3 property used in carrying on the same, except real estate: *Provided*, that
 4 poles, wire and right-of-way shall not be deemed real estate for the purposes
 5 of this section.

§ 304. If any such person or corporation shall neglect or refuse to make
 2 any statement hereby required, or shall neglect or refuse to pay the tax
 3 heretofore provided for, for thirty days after the twentieth day of January
 4 in the year in which such statement is due, such person shall be liable, and
 5 every such corporation shall be liable to an action of assumpsit, to be
 6 brought by the State, for the said tax with interest thereon at the rate of
 7 three per cent. per month from said city, and any such person or corporation
 8 may upon a bill in equity be enjoined by the State from prosecuting, by
 9 himself or itself, or his or its agents, directly or indirectly, the business of
 10 maintaining any telephone line or telephonic exchange in this State until
 11 such tax and interest is paid.

§ 305. In case judgment is rendered in any court for any such tax or tax
 2 and interest, execution may issue directing the sheriff of the proper county
 3 to sell so much of all the property rights, privileges and franchises of the
 4 judgment debtor in this State as may be necessary to satisfy the judgment
 5 and costs.

EXPRESS BUSINESS.

§ 306. The express business in this State shall be taxed as follows:
 2 Every person or corporation carrying on the express business over any rail-

3 road or steambout line wholly or partly in this State, shall, between the first
4 and twentieth days of January, in each year, make and deliver to the Auditor a
5 statement in writing, showing:

6 *First*—The places in this State where such person or corporation has main-
7 tained agencies for the prosecution of its business during the preceding calendar
8 year, with the names of the agents.

9 *Second*—The place in this State where the principal office of such person or
10 corporation is kept.

11 *Third*—The amount of the gross receipts of such person or corporation derived
12 from its business in this State, computed as hereinafter required.

§ 307. Where the money or value received by such person or corporation is
2 for the carriage of goods, wares and merchandise between terminals in the
3 State, all of such money or value shall be deemed gross receipts within the
4 meaning of this act, and where such money or value is for such carriage between
5 terminals, one of which is in this State, so much of the compensation received
6 for the carriage as bears the proportion to the whole compensation received that
7 the number of miles of carriage in this State bears to the whole number of miles
8 of carriage, shall also be deemed gross receipts within the meaning of this act.

§ 308. At the time of delivering such statement to the Auditor, such person
2 or corporation shall pay to the State Treasurer a license fee of two and a half per
3 cent, of the amount of such gross receipts, and this shall be in lieu of all
4 license fees and taxes in this State, of every kind and nature soever, except
5 taxes on tangible property.

§ 309. Every such statement shall be signed and sworn to as full and true, by
2 such person, or the general or chief officer or agent of such company in this
3 State, or by some other agent to be designated by the State Auditor, and shall
4 be in such form as may be prescribed by said Auditor.

§ 310. The books of every such person or corporation shall at all times be
2 subject to the inspection of the State Auditor.

§ 311. If any person or corporation, hereby required to make any such state-
2 ment, shall make any false statement, or shall fail to make any report hereby

3 required, at the time and in the manner hereby required, or shall conceal its
 4 books from the State Auditor, or shall refuse to submit its books as hereby
 5 required, he or it shall be deemed guilty of a misdemeanor, and fined not less than
 6 \$300 nor more than \$1,000.

§ 312. If any such person or corporation shall fail to make any statement as
 2 hereby required, the State Auditor may estimate his or its gross receipts, and
 3 notify him or it of the amount of license fees upon the same hereunder, in such man-
 4 ner as the board may deem best; and if the fees are not paid within thirty days,
 5 with interest thereon at the rate of one per cent, a month from the twentieth day
 6 of January in the year in which statement was due hereunder, such person or
 7 corporation shall be liable, in an action of assumpsit to be brought by the State,
 8 for such fees and interest, and for any fine herein provided for, whether the same
 9 shall have been imposed or not.

§ 313. All fines imposed hereunder shall be paid into the State treasury.

§ 314. In case any such person at any time evades or disobeys the provisions
 2 of this act, the State Auditor shall revoke his or its license hereunder, and
 3 it shall not be lawful for him or it to receive any license to transact such
 4 business in this State, until the fees herein provided for, with interest thereon
 5 at the rate aforesaid, from the twentieth day of January in the year in which
 6 such statement is due hereunder, have been paid.

PUBLIC WAREHOUSEMEN.

§ 315. The business of public warehousemen of classes A and B in this
 2 State is hereby declared to be a privilege, and shall be taxed as follows:

§ 316. If any person or corporation shall carry on said business in this
 2 State without first procuring a license therefor as hereinafter provided, he
 3 or it shall be deemed guilty of a misdemeanor and fined not less than one
 4 hundred dollars nor more than two hundred dollars for every day the said
 5 person or corporation shall carry on said business in this State without the
 6 license hereby required.

§ 317. Every such person or corporation shall, between the first and
 2 twentieth days of January in each year, make a written statement and
 3 deliver the same to the Auditor, showing the full and maximum capacity

4 in bushels of each elevator or granary used by him or it at any time during
5 the preceding year.

§ 318. In case the State Auditor deems it just in any case he may, by
2 an order entered upon the records of his office which shall contain a state-
3 ment of the facts of the matter, permit a license hereunder to issue at any
4 time for the remainder of the current calendar year, and make a propor-
5 tionate abatement of the tax hereinafter provided for.

§ 319. Every such person or corporation shall, annually, at the time of deliv-
2 ering such statement to the Auditor, pay to the State Treasurer, as a tax on
3 the said business, the sum of one-third of one cent for every bushel of the
4 capacity of each elevator or granary of either of said classes owned, operated
5 or managed by such person or corporation in this State during the preceding
6 year.

§ 320. If any such person or corporation shall make any false statement
2 of the capacity in bushels of any such elevator or granary owned, leased or
3 managed by him or it, or refuse to make any statement as hereby required
4 he or it shall be deemed guilty of a misdemeanor, and fined not less than
5 \$300 nor more than \$1,000, said fine to be paid into the State treasury, and
6 the State Auditor may, in any such case, fix the capacity of every such
7 elevator or granary in such manner as he may deem best, and notify the
8 owner, lessee or manager of the taxes due hereunder from him or it, and if
9 the said taxes are not paid within thirty days with interest thereon at the
10 rate of one per cent per month from the twentieth day of January, in the
11 year in which the statement was due hereunder, such person or corporation
12 shall be liable, and every officer and director of any such corporation shall
13 be individually, jointly and severally liable in an action of assumpsit to be
14 brought by the State, for such taxes and interest, and for any fine herein
14 provided for, whether the same shall have been imposed or not.

§ 321. In case any such person or corporation at any time evades or dis-
2 obeys the provisions of this act, the State Auditor shall revoke his or its
3 license hereunder, entering upon the records of his office the reasons for the
4 revocation, and preserving in writing the evidence of the facts upon which

5 the same was made, and it shall not thereafter be lawful for any such
6 person or corporation to receive any license to transact the said business
7 in this State until the taxes herein provided for, with interest thereon as
8 aforesaid, shall have been paid.

§ 322. In case there is in any year an increase or diminution of the capacity of any elevator or granary, the State Auditor, by an order to be entered upon the records of his office, reciting the facts upon which it is based, may abate the tax of that year in such sum as may be just.

323. Nothing herein contained shall be construed so as to exempt in any
2 manner any of the real or personal property of any person mentioned in
3 section _____ from taxation by valuation, nor to repeal any portion of an
4 act entitled "An act to regulate public warehouses and the warehousing
5 and inspection of grain, and to give effect to article thirteen of the Con-
6 stitution of this State," in force July 1, 1871.

LICENSE FOR CORPORATIONS.

§ 324. Every corporation organized under the laws of this State, for
pecuniary profit, and all foreign corporations doing business in this State, shall
between the first and twentieth days of January in each and every year,
procure from the Auditor of Public Accounts a license to carry on the specific
business of such corporation for the ensuing calendar year, which license
shall be issued upon the payment of five dollars into the State treasury, and
may be in the following form:

8 *Know all men*, That _____, is hereby authorized and licensed
9 to carry on the express business in the State of Illinois, for one year, from
10 the first day of January, A. D. _____, upon condition, however, that he obeys
11 in all respects, the revenue laws of said State, this license being subject at
12 all times to revocation by the State Board of Tax Commissioners.

13 Witness my hand this day of , A. D.

Auditor of Public Accounts.

§ 325. If any corporation shall carry on business in this State without first
procuring such license, it shall be deemed guilty of a misdemeanor, and fined
not less than one hundred dollars nor more than five hundred dollars for each

4 offense, and each day's business so transacted shall be deemed to constitute an
 5 offense hereunder. Every corporation subject to the provisions of this act, shall
 6 between the first and twentieth days of January in each and every year, file
 7 with said Auditor, a statement in writing, showing the place in this State where
 8 the principal office of such corporation is located. If any such corporation shall
 9 fail to pay the license provided for in section _____ of this act, or shall fail to
 10 make report as required, such corporation may, upon a bill in equity, be
 12 enjoined by the State from prosecuting by itself or its agents, directly or
 13 indirectly, its business in this State: *Provided*, that the payment of the
 14 license fee herein provided for, shall not be construed as exempting the
 15 property of any such corporation from any taxes or assessments to which it
 16 would otherwise be liable under any of the provisions of this act.

PENALTIES OF OFFICERS.

§ 326. Delivering or Receiving Books Before Collector's Bond Filed.
 2 If any county clerk shall deliver the tax books into the hands of the
 3 county collector, or if any collector shall receive said books or collect any
 4 taxes, until such collector's bond has been approved and filed, as required
 5 by this act, said clerk and collector, and each of them, shall be liable to
 6 a penalty of not less than five hundred dollars, and all damages and costs,
 7 to be recovered in an action of debt, and the Auditor shall bring suit
 8 therefor in the name of the People of the State of Illinois—the amount
 9 recovered on such fines to be paid into the State treasury as revenue
 10 fund. Nothing in this section shall be construed as relieving the securi-
 11 ties of a collector from liabilities incurred under a bond not approved and
 12 filed by the Auditor.

§ 327. If any county clerk shall fail to attend any tax sale of real
 2 estate, either in person or by deputy, or to make and keep the record, as
 3 required by this act, he shall be deemed guilty of a misdemeanor, and on
 4 conviction thereof be fined in any sum not less than \$300 nor more than
 5 \$500, and shall be liable to indictment for such failure, and, upon con-
 7 viction, shall be removed from office.

§ 328. If any county collector fails to account any pay over as required in this act, his office may be declared vacant by the county board, or by any court in which suit is brought on his official bond.

§ 329. (Failure to do Any Duty Under This Act.) If any officer shall fail or neglect to perform any of the duties required of him by this act, upon being required so to do by any person interested in the matter, he shall be liable to a fine of not less than ten dollars nor more than five hundred dollars, to be recovered in an action of debt in the circuit court of the proper county, and may be removed from office at the discretion of the court; and any officer who shall knowingly violate any of the provisions of this act, shall be liable to a fine of not less than ten dollars nor more than one thousand dollars, to be recovered in an action of debt, in the name of the People of the State of Illinois, in any court having jurisdiction, and may be removed from office at the discretion of the court, and said fines, when recovered, shall be paid into the county treasury.

§ 330. (Refusal by Clerk, Assessor, or other officer, to do Duty.) Every county clerk, assessor, collector or other officer who shall in any case refuse or knowingly neglect to perform any duty enjoined upon him by this act, or who shall consent to or connive at any evasion of its provisions, whereby any proceeding required by this act shall be prevented or hindered, or whereby any property required to be listed for taxation shall be unlawfully exempted, or the same be entered upon the tax list at less than its fair cash value, shall, for every such offense, neglect or refusal, be liable, on the complaint of any person, for double the amount of the loss or damage caused thereby, to be recovered in any action of debt, in the name of the People of the State of Illinois, in any court having jurisdiction, and may be removed from his office at the discretion of the court.

§ 331. Every county clerk, assessor, collector or other officer who shall in any case refuse or knowingly neglect to perform any duty enjoined upon him by this act, or who shall consent to or connive at any evasion of its provisions, whereby any proceeding required by this act shall be

5 prevented or hindered, or whereby any property required to be listed for tax
 6 ation shall be unlawfully exempted or omitted, or the same be entered upon
 7 the tax list at other than its fair cash value, shall, for every such offense,
 8 neglect or refusal, be liable, on the complaint of any person, to be convicted
 9 of a misdemeanor, and fined not less than \$300 nor more than \$500, and, in
 10 the discretion of the court, may be removed from office by an order of the
 11 court trying the cause, to be entered of record therein. And it shall be the
 12 duty of the State Auditor to call the attention of all officers connected with
 13 the levy and collection of taxes, to the provisions of this section.

(WHEN DESCRIPTION IN SPECIAL ASSESSMENT DIFFERENT FROM TAX BOOK.)

§ 332. When a return to the county collector has been made, or shall
 2 hereafter be made, of any real estate delinquent for any special assessment
 3 or annual installment thereof, levied by any incorporated city, town or village,
 4 or by any corporate authorities, commissioners or persons, pursuant to law,
 5 which assessment or installment thereof is required by law to be included
 6 in the advertisement and notice of application for judgment for State and
 7 county taxes, and the description or subdivision of any real estate described
 8 in such return is different from the description or subdivision thereof as
 9 described in the town or district collector's book returned to such county
 10 collector, it shall and may be lawful for the county collector to advertise
 11 all the real estate delinquent for any such assessment described in such
 12 return, according to the description thereof as contained in such return; but such
 13 advertisement shall be made at the same time, and shall form part of his adver-
 14 tisement of real estate delinquent for State and county taxes. (See §§ 178, 188.)

§ 333. (How Described.) The said real estate so advertised may be described
 2 in the county collector's delinquent return, according to the description
 3 thereof, as contained in such return and advertisement; and like proceedings
 4 shall be had to the application for judgment, and the judgment thereon,
 5 the sale and issuance of the certificate of the sale thereof, redemption from
 6 such sales and issuance of deeds thereon, as may be required by law to be
 7 had in regard to lands delinquent for State and county taxes. (See § 333.)

§ 334. 'City, etc., May Buy in at Sale.' Any incorporated city, town or village, or corporate authorities, commissioners or persons interested in any such special assessment or installment thereof, may become purchaser at any sale, and may designate and appoint some officer or person to attend and bid at such sale, on its behalf.

§ 335. 'Apportionment of Special Assessment Payable in Installments.' All cases where any special assessment, payable in installments, has been or hereafter shall be made by any corporate authority, for supplying water, or other corporate purpose, and the owner or owners of any lot • block or parcel of land so assessed, or some of them, shall desire to subdivide the same, and to apportion such assessment and the several installments thereof in such manner that each parcel of such proposed subdivision shall bear its just and equitable proportion thereof, the same may be done in the manner following, to-wit: The owner or owners of such lot, block or parcel of land shall present to such corporate authority a petition, setting forth:

First—The descriptive character of the assessment and the date of the confirmation of the same.

Second—The names of the owners.

Third—A description of the land proposed to be subdivided, together with the amount of each installment thereon, and the year or years for which the same are due.

Fourth—A plat showing the proposed subdivision.

Fifth—The proposed apportionment of the amount of each installment on each lot or parcel, according to such proposed subdivision.

Such petition shall be acknowledged in the manner provided for the acknowledgment of deeds; and if such corporate authorities shall be satisfied therewith, they shall cause to be endorsed upon or attached to such petition their approval by their clerk or secretary, under their corporate seal, and the same, so approved, shall be filed and recorded in the office of the county clerk in which such land shall be situated, and such apportioned assessment shall stand in place of the original assessment, and the same and the several installments thereof shall be deemed duly apportioned, and the several amounts so apportioned

28 shall be liens upon the several parcels charged, respectively; and for the pur-
 29 pose of collecting the same, all proceedings shall be had and taken as if said
 30 assessment and installments had been made and apportioned, in the first
 31 instance, according to such apportioned description and amounts, and the
 32 respective owners shall be held to have waived every and all objections to
 33 such assessment and the apportionment aforesaid: *Provided*, this act shall
 34 not apply to any lot, block or parcel of land on which there shall remain due
 35 and unpaid any installment. In case the owners are unable to agree as to
 36 such apportionment, or any of them are under legal disability, one or more
 37 of them may file a petition with the circuit court of the county in which
 38 such land so assessed is situated, substantially in form as hereinbefore pro-
 39 vided; and in such case, such corporate authority, together with all owners
 40 or persons interested, not joined as petitioners, and unknown owners, if any,
 41 shall be made parties defendant, and all proceedings in relation thereto shall
 42 be had as in cases in chancery. The court may hear and determine the
 43 case according to the right of the matter. A copy of the record of the pro-
 44 ceedings of the court in the premises, in case of an apportionment, duly
 45 certified, shall be filed and recorded in the office of such county clerk, and
 46 the same shall thereupon, as to the land therein embraced, the owners
 47 thereof, the apportionment aforesaid, and the collection of the several
 48 amounts apportioned, have the same force and effect as is hereinbefore
 49 provided in cases where such corporate authorities shall approve of a peti-
 50 tion, and file and record the same.

§ 336. [Uniformity Restored.] The real and personal property within all
 2 incorporated towns and cities in every county in this State shall be taxable
 3 for all purposes, any local or special law in regard to exemption of any
 4 particular town or city to the contrary notwithstanding; and all provisions of
 5 law in conflict with this act are hereby repealed; but nothing herein shall be
 6 construed as authorizing the taxation of property allowed to be exempt by
 7 any general law now in force or that may hereafter be passed. And all laws
 8 requiring any city to support and provide for its paupers, to assume liabilities
 9 or perform duties required of counties by the general laws of this State, are

10 hereby repealed; and the general laws of this State upon such subjects, in
 11 relation to counties and cities, shall be applicable to all counties and cities in
 12 the State.

ILLINOIS CENTRAL RAILROAD.

§ 337. Seven Per Cent. of the Gross Income.—In consideration of the
 2 grants, privileges and franchises herein conferred upon said company for the
 3 purposes aforesaid, the said company shall, on the first Mondays of December
 4 and June in each year, pay into the treasury of the State of Illinois five per
 5 centum of the gross or total proceeds, receipts or income derived from said
 6 road and branches for the six months then next preceding. The first payment
 7 of such percentage on the main trunk of said road to commence four years
 8 from the date of said deed of trust, and on the branches six years from the
 9 date aforesaid, unless said road and branches are sooner completed; then from
 10 the date of the completion. And for the purpose of ascertaining the proceeds,
 11 receipts or income aforesaid, an accurate account shall be kept by said com-
 12 pany, a copy whereof shall be furnished to the Governor of the State of
 13 Illinois; the truth of which account shall be verified by the affidavits of the
 14 treasurer and secretary of such company. And for the purpose of verifying
 15 and ascertaining the accuracy of such account, full power is hereby vested in
 16 the Governor of the State of Illinois, or any other person by law appointed,
 17 to examine the books and papers of said corporation, and to examine under
 18 oath, the officers, agents and employes of said company, and other persons.
 19 And if any person, so examined by the Governor or other authority, shall
 20 knowingly and wilfully, swear falsely, or if the other officers making such
 21 affidavits shall, knowingly and wilfully, swear falsely, every such person shall
 22 be subject to the pains and penalties of perjury.

§ 338. Lands Taxable when Conveyed—Application of Tax, etc.—The
 2 lands selected under said act of Congress, and hereby authorized to be
 3 conveyed, shall be exempt from all taxation under the laws of this State
 4 until sold and conveyed by said corporation or trustees, and the other
 5 stock, property and effects of said company shall be in like manner exempt

6 from taxation for the term of six years from the passage of this act
 7 After the expiration of six years, the stock, property and assets belonging
 8 to said company shall be listed by the president, secretary or other officer,
 9 with the Auditor of State, and an annual tax for State purposes shall be
 10 assessed by the Auditor upon all the property and assets of every name,
 11 kind and description belonging to said corporation. Whenever the taxes
 12 levied for State purposes shall exceed three fourths of one per centum per
 13 annum, such excess shall be deducted from the gross proceeds or income
 14 herein required to be paid by said corporation to the State, and the said
 15 corporation is hereby exempted from all taxation of every kind, except as
 16 herein provided for. The revenue arising from said taxation, and the said
 17 five per cent, of the gross or total proceeds, receipts or income aforesaid,
 18 shall be paid into the State treasury in money, and applied to the pay-
 19 ment of interest paying State indebtedness, until the extinction thereof.
 20 *Provided*, in case the five per cent, provided to be paid into the State
 21 treasury, and the State taxes to be paid by the corporation, do not
 22 amount to seven per cent, of the gross or total proceeds, receipts or
 23 income, then the said company shall pay into the State treasury the
 24 difference, so as to make the whole amount paid equal at least to seven
 25 per cent, of the gross receipts of said corporation.

GENERAL PROVISIONS.

§ 339. If any person or corporation required by this act to pay any tax
 2 or license fee directly into the State treasury, shall not pay the same within
 3 ninety days after the last day the same is payable under the provisions of
 4 this act, the Auditor of Public Accounts shall report such fact to the Attor-
 5 ney General, who shall exhibit a bill in equity, in the name of the State, in
 6 the circuit court of any county in this State in which such person or cor-
 7 poration does business or has property, or to the judge of such court in vaca-
 8 tion, setting forth the facts, and thereupon it shall be the duty of such court
 9 or judge, upon being satisfied of the truth of such bill, to appoint a receiver
 10 of all and singular the property, business, franchises and effects of such per-

11 son or corporation in this State, and from time to time, in term time or vac,
 12 tion, to make such orders and decrees as to the operation of the business or
 13 the sale of the property as will secure to the State all taxes and license fees
 14 due and accruing, together with all penalties, interest and costs, including a
 15 reasonable solicitor's fee, to be fixed by the court.

§ 340. Nothing in this act contained shall be construed to affect in any
 2 manner the provisions of the charter of the Illinois Central railroad company,
 3 approved February 10, 1851.

§ 341. An act entitled "An act for the assessment of property, and for the
 2 levy and collection of taxes," approved March 30, 1872, and all amendments
 3 thereto, and an act entitled "An act in relation to the collection of taxes
 4 and special assessments," approved May 2, 1873, and all amendments thereto,
 5 and all other acts and parts of acts inconsistent herewith are hereby repealed.

§ 342. The repeal of said acts and parts of acts shall not be construed to
 2 impair any right existing, or affect any proceeding pending at the time this
 3 act shall take effect, but all proceedings for the assessment of property or
 4 levy or collection of any tax or special assessment then remaining incom-
 5 plete, except as hereinafter provided, may be completed pursuant to the pro-
 6 visions of this act.

DEFINITIONS.

§ 343. The words and phrases following, whenever used in this act, shall
 2 be construed to include in their meaning the definitions set opposite the same
 3 in this section, whenever it shall be necessary to the proper construction of
 4 this act.

5 *First.* Assessor—Assessors.—Town, district and deputy assessors.

6 *Second.* Auditor.—Auditor of Public Accounts.

7 *Third.* Bank—Banker—Broker—Stock Jobber.—Whoever has money em-
 8 ployed in the business of dealing in coin, notes or bills of exchange, or in the
 9 business of dealing in or buying or selling any kinds of bills of exchange,
 10 checks, drafts, bank notes, promissory notes, bonds, or other writing obliga-

12 tory, or stocks of any kind or description whatsoever, or receiving money on
13 deposit.

14 *Fourth.* Collector—Collectors.—County, town, district and deputy col-
15 lectors.

16 *Fifth.* County Board. The board of supervisors—the board of county
17 commissioners.

18 *Sixth.* Company—Every corporation or association having shares of
19 stock.

20 *Seventh.* Credits.—Every claim or demand for money, labor, interest or
21 other valuable thing, due or to become due, not including money on deposit

22 *Eighth.* He.—Male, female, company, corporation, firm, society, singular or
23 plural number.

24 *Ninth.* Money—Moneys.—Gold, silver or other coin, paper or other cur-
25 rency used in barter and trade as money, in actual possession, and every
26 deposit which the person owning, holding in trust, or having the beneficial
27 interest therein, is entitled to withdraw in money on demand.

28 *Tenth.* Number.—The singular number shall include the plural, and the
29 plural number shall include the singular.

30 *Eleventh.* Oath.—Oath or affirmation.

31 *Twelfth.* Person—Persons.—Male, female, corporation, company, firm, so-
32 ciety, singular or plural number.

33 *Thirteenth.* Real Property—Real Estate—Land—Tract—Lot.—Not only the
34 land itself, whether laid out in town or city lots, or otherwise, with all things
35 contained therein, but also all buildings, structures and improvements, and
36 other permanent fixtures, of whatsoever kind, thereon, and all rights and
37 privileges belonging or in anywise pertaining thereto, and all undivided interests
38 therein, except where the same may be otherwise denominated by this act.

39 *Fourteenth.* Railroad—Shall not be construed to include any street or
40 dummy railway.

41 *Fifteenth.* Shares of Stock—Shares of Capital Stock.—The shares into
42 which the capital or stock of every incorporated company or association may
be divided.

43 *Sixteenth. Tax—Taxes.*—Any tax, special assessments or costs, interest or
 44 penalty imposed upon property.

§ 344. In all counties not under township organization, the county court,
 2 or judge of the county court, as the case may require, shall perform all the
 3 duties required in this act to be performed by the county board, or chairman
 4 of the county board, as the case may be, in such counties, until such time as
 5 the board of county commissioners shall be duly elected and qualified in said
 6 counties.

BONDS—OFFICIAL.

§ 345. When Additional or New Bonds may be Required. That all official
 2 bonds required by law to be given by any public officer, or public employe,
 3 including executors, administrators, guardians and conservators, in this State,
 4 shall be signed and sealed by any said officer, employe, executor, adminis-
 5 trator, guardian or conservator, and his securities, and acknowledged before
 6 some officer authorized by law to take acknowledgments of instruments under
 7 seal, which said acknowledgments shall be substantially in the following form:

8 STATE OF)
 County of) ss.

9 I, , hereby certify that , who are each personally
 10 known to me to be the same persons whose names are subscribed to the
 12 foregoing instrument, appeared before me this day in person and acknowl-
 13 edged that they signed, sealed and delivered said instrument as their free
 14 and voluntary act, for the uses and purposes therein set forth.

15 Given under my hand and seal, this day of A. D. .

16 Which acknowledgment shall be deemed and taken as *prima facie* evidence
 17 that the instrument was signed, sealed and acknowledged in the manner
 18 therein set forth, and such acknowledgments shall have the same force and
 19 and effect as evidence in all legal proceedings, as that given to acknowl-
 20 edgment of deeds of conveyance of real estate. That all public officers or
 21 employes who are compelled to give official bonds may be required by the
 22 court, officer, or board whose duty it is to take or approve such bonds,

23 to give additional surety or new bonds whenever the security of the original
24 bond has become insufficient by the subsequent insolvency, death or removal
25 of the sureties or any of them, or when for any cause any such bond shall
26 be deemed insufficient. Any officer or employe failing to give bond when
27 required, pursuant to this section, within ten days after he is notified in
28 writing of such request, shall be deemed to have vacated his office.

1. Introduced by Mr. Yost, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Fees and Salaries.
3. Reported back March 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to require clerks of the county courts in the several counties of this State to keep a register of all county's orders, warrants, jury certificates, clerk's certificates, or other orders to be drawn by any public officer or board, upon the county treasurer of any county in this State, in pursuance of any law, or public authority, and to prevent the payment thereof before such registration.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* from and after the passage and taking effect of this act no county treasurer in this State shall pay any county order, warrant, jury certificate, clerk's certificate or other order drawn by any public officer or board upon the county treasurer of any county, which may be drawn in pursuance of any law, unless first presented to the clerk of the county court and by him registered in a book to be provided by the county board for that purpose at the expense of the county.

§ 2. That every clerk of a court, public board or other officer, who may hereafter draw any paper of the character in the first section of this act specified, shall transmit such paper to the county clerk of the county upon whose treasury it is drawn and the said county clerk shall register it provided in the first section of this act, and shall indorse upon it the date of such registration. After which, and not before, it shall be paid out of the fund upon which it was drawn.



1. Introduced by Mr. Forman, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the practice in the Supreme and Appellate Courts of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person against whom, or against whose
3 interests the Supreme Court of this State may have rendered any opinion
4 or decision in any cause in which he may be directly interested, may, in
5 person, or by any attorney duly enrolled as such in said Supreme Court,
6 within such time as said court may determine by rule, not less, however,
7 than thirty days from the time of filing such decision or opinion, file in
8 the office of the clerk of said court where such opinion or decision may
9 have been filed, a petition to said court to review such decision or opinion
10 and to rehear such cause, and such petitioner shall have the right to file
11 such printed argument and may make such oral argument in support
12 thereof as he shall deem necessary to the proper hearing and determina-
13 tion of said matter, and said court shall hear and determine the said
14 matter.

§ 2. This act shall apply to the Appellate Courts of this State, and
2 shall apply to all cases therein determined which are of such nature as
3 not to be reviewable by the Supreme Court.

1. Introduced by Mr. Sumner, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to committee on Judicial Department.
3. Reported back March 18 with amendment, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections three, (3) eight (8) and eleven (11) of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections three, (3) eight (8) and eleven (11) of
3 an act entitled "An act to revise the law in relation to township insurance
4 companies," approved March 24, 1874, in force July 1, 1874, be so amended as
5 to read as follows:

§ 3. The number of directors shall not be less than nine nor more than
2 fifteen, a majority of whom shall constitute a quorum to do business, to be
3 elected from the corporators by ballot, of whom one-third shall be elected for
4 one year, one-third for two years and one-third for three years, and until their
5 successors are elected and qualified. At all subsequent elections, except to fill
6 vacancies, one-third of said board of directors shall be elected for three years,
7 said election to be held at the annual meeting of the company, which shall
8 be on the first Tuesday after the first Monday in January in each year: *Pro-*
9 *vided,* that any company now incorporated and doing business under this act
10 may at any time so change their mode of electing their board of directors at
11 an annual meeting as to be in conformity with this act. In the election of
12 the first board of directors each corporator shall be entitled to one vote. At
13 every subsequent election every person insured shall be entitled to as many

14 votes as there are directors to be elected and an equal additional number
 15 for each \$500 that he may be insured in the company, and may cast the same
 16 in person or by proxy, distributing them among the same or a less number
 17 of directors to be elected, or cumulating them upon one candidate, as he shall
 18 think fit.

§ 8. Such company may issue policies only on detached dwellings, barns,
 2 (except livery, boarding and hotel barns), and other farm buildings, and such
 3 property as may be properly contained therein; also, other property on the
 4 premises, and owned by the insured; also, live stock, hay and grain in the
 5 stack, on the premises of the insured, and anywhere in the territory of the
 6 company for any time not exceeding five years and not to be extended beyond
 7 the limited duration of the charter, and for an amount not to exceed four
 8 thousand five hundred dollars on any one risk. All persons so insured shall
 9 give their obligation to the company, binding themselves, their heirs and
 10 assigns, to pay their pro rata share to the company of the necessary expenses
 11 and all losses by fire or lightning which may be sustained by any member
 12 thereof during the time for which their respective policies are written, and
 13 they shall at the time of effecting the insurance pay such a percentage in
 14 cash and such other charges as may be required by the rules or by-laws of
 15 the company.

§ 11. Every member of such company who may sustain loss or damage by
 2 fire or lightning shall immediately notify the president of such company, or
 3 in his absence the secretary thereof, stating the amount of damage or loss
 4 claimed, and if not more than two hundred dollars (\$200) then the president
 5 and secretary shall proceed to ascertain the amount of such loss or damage
 6 and adjust the same. If the claim for damages or loss shall be an amount
 7 greater than two hundred dollars, (\$200) then the president of such company,
 8 or in case of his absence the secretary thereof, shall forthwith convene the
 9 directors of such company, whose duty it shall be, when convened, to appoint
 10 a committee of not less than three disinterested members of such company to
 11 ascertain the amount of such damage or loss. If in either case there is a
 12 failure of the parties to agree upon the amount of such damage or loss, the

13 claimant may appeal to the judgment of the county court in which the office
14 of said company is located, whose duty it shall be to appoint three disinter-
15 ested persons as a committee of reference, who shall have full authority to
16 examine witnesses and to determine all matters in dispute, and shall make
17 their award in writing to the president of such company, and such award shall
18 be final. The pay of said committee shall be two dollars (\$2.00) per day for
19 each day's service so rendered and four cents for each mile necessarily trav-
20 eled in the discharge of their duties, which shall be paid by the claimant,
21 unless the award of such committee shall exceed the sum offered by the com-
22 pany in liquidation of such loss or damage, in which case said expenses shall
23 be paid by the company.

AMENDMENT PROPOSED BY THE COMMITTEE ON JUDICIAL
DEPARTMENT.

Amend written bill by inserting between the words "dwellings" and "barns,"
2 in second line of section 8, the following words: "School houses" and
3 "churches."



1. Introduced by Mr. Sumner March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Judicial Department.
3. Reported back March 18 with amendment, passage recommended and ordered to second reading.
4. Second reading April 6, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend sections three (3), eight (8) and eleven (11) of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections three (3), eight (8) and eleven (11) of
3 an act entitled "An act to revise the law in relation to township insurance
4 companies," approved March 24, 1874, in force July 1, 1874, be so amended
5 as to read as follows:

6 § 3. The number of directors shall not be less than nine nor more than
7 fifteen, a majority of whom shall constitute a quorum to do business, to be
8 elected from the corporators by ballot, of whom one-third shall be elected for
9 one year, one-third for two years, and one-third for three years, and until their
10 successors are elected and qualified. At all subsequent elections, except to fill
11 vacancies, one-third of said board of directors shall be elected for three years,
12 said election to be held at the annual meeting of the company, which shall
13 be on the first Tuesday after the first Monday in January in each year: *Pro-*
14 *vided,* that any company now incorporated and doing business under this act
15 may at any time so change their mode of electing their board of directors at
16 an annual meeting as to be in conformity with this act. In the election of
17 the first board of directors each corporator shall be entitled to one vote. At

18 every subsequent election every person insured shall be entitled to as many
 19 votes as there are directors to be elected and an equal additional number
 20 for each \$500 that he may be insured in the company, and may cast the same
 21 in person or by proxy, distributing them among the same or a less number
 22 of directors to be elected, or cumulating them upon one candidate, as he shall
 23 think fit.

24 § 8. Such company may issue policies only on detached dwellings, school
 25 houses, churches, barns, (except livery, boarding and hotel barns, and other
 26 farm buildings, and such property as may be properly contained therein, also,
 27 other property on the premises, and owned by the insured; also, live stock, hay
 28 and grain in the stack, on the premises of the insured and anywhere in the terri-
 29 tory of the company for any time not exceeding five years and not to be extended
 30 beyond the limited duration of the charter, and for an amount not to exceed four
 31 thousand five hundred dollars on any one risk. All persons so insured
 32 shall give their obligation to the company, binding themselves, their heirs and
 33 assigns, to pay their pro rata share to the company of the necessary expenses
 34 and all losses by fire or lightning which may be sustained by any member
 35 thereof during the time for which their respective policies are written, and
 36 they shall at the time of effecting the insurance pay such a percentage in
 37 cash and such other charges as may be required by the rules or by-laws of
 38 the company.

39 § 11. Every member of such company who may sustain loss or damage by
 40 fire or lightning shall immediately notify the president of such company, or
 41 in his absence the secretary thereof, stating the amount of damage or loss
 42 claimed, and if not more than two hundred dollars (\$200) then the president
 43 and secretary shall proceed to ascertain the amount of such loss or damage
 44 and adjust the same. If the claim for damage or loss shall be an amount
 45 greater than two hundred dollars, (\$200) then the president of such company,
 46 or in case of his absence the secretary thereof, shall forthwith convene the
 47 directors of such company, whose duty it shall be, when convened, to appoint
 48 a committee of not less than three disinterested members of such company to

49 to ascertain the amount of such damage or loss. If in either case there is a
50 failure of the parties to agree upon the amount of such damage or loss, the
51 claimant may appeal to the judge of the county court in which the office
52 of said company is located, whose duty it shall be to appoint three disinter-
53 ested persons as a committee of reference, who shall have full authority to
54 examine witnesses and to determine all matters in dispute, and shall make
55 their award in writing to the president of such company, and such award
56 shall be final. The pay of said committee shall be two dollars (\$2.00) per
57 day for each day's service so rendered and four cents for each mile neces-
58 sarily traversed in the discharge of their duties, which shall be paid by the
59 claimant, unless the award of such committee shall exceed the sum offered
60 by the company in liquidation of such loss or damage, in which case said
61 expenses shall be paid by the company.

1. Received from House May 25, 1887, and ordered to first reading.
2. First reading June 9, 1887, and ordered to second reading.

A BILL

For An Act to suppress selling, lending, giving away or showing to any minor child any paper or publication principally devoted to illustrating or describing immoral deeds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That it shall be unlawful for any person to sell,
3 lend, give away or show, or have in his possession, with intent to sell, or
4 give away, or advertise, or otherwise offer for loan, gift or distribution, to any
5 minor child, any book, pamphlet, magazine, newspaper, story paper, or other
6 printed paper devoted to the publication, or principally made up of criminal
7 news, police reports, or accounts of criminal deeds, or pictures and stories
8 of deeds of bloodshed, lust or crime.

§ 2. It shall be unlawful to exhibit upon any street or highway, or in any
2 other place within the view, or which may be within the view, of any minor
3 child, any book, magazine, pamphlet, newspaper, story paper, or other paper
4 or publication coming within the description of matters mentioned in the first
5 section of this act, or any of them.

§ 3. It shall be unlawful to hire, use or employ any minor child to sell or
2 give away, or in any manner to distribute, or, who, having the care, custody
3 or control of any minor child, to permit such child to sell, give away, or in
4 any manner to distribute any book, magazine, pamphlet, newspaper, story
5 paper or other paper or publication coming within the description of matters
6 mentioned in the first section of this act; and any person violating any of

7 the provisions of this act shall be guilty of a misdemeanor, and on conviction,
8 shall be fined in any sum not less than twenty-five dollars (\$25) nor
9 more than one thousand dollars (\$1,000), or imprisoned in the county jail of the
10 county where the offense was committed, not to exceed six months; or both
11 fined and imprisoned, in the discretion of the court.

1. Introduced by Mr. Chapman, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section twenty-two (22) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section twenty-two (22) of an act entitled "An
3 act in regard to guardians and wards," approved April 10, 1872, be and the
4 same is hereby amended so as to read as follows, to-wit:

5 "Section 22. It shall be the duty of the guardian to put and keep his
6 ward's money at interest upon security to be approved by the court, or invest
7 the same in United States bonds, or in the bonds of any county or city,
8 which are not issued in aid of railroads, and where the laws do not permit
9 said counties or cities to become indebted in excess of five per cent of the
10 assessed valuation of property for taxation therein, and where the total
11 indebtedness of such county or city does not exceed 5 per cent of the assessed
12 valuation of property for taxation at the time of such investment. Personal
13 security may be taken for loans not exceeding one hundred dollars. Loans
14 upon real estate shall be secured by first mortgage thereon and not to exceed
15 one-half the value thereof. No mortgage loan shall be made for a longer
16 time than three years nor beyond the minority of the ward: *Provided,* the
17 same may be extended from year to year without the approval of the court.
18 The guardian shall be chargeable with interest upon any money which he shall
19 wrongfully or negligently allow to remain in his hands uninvested after same
20 might have been invested."



1. Introduced by Mr. Chapman, March 15, 1887, and ordered to first reading.
2. First reading March 15, 1887, and referred to Committee on Judiciary.
3. Reported back March 16, 1887, passage recommended, and ordered to second reading.
4. Second reading April 7, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend section twenty-two (22) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That section twenty-two (22) of an act entitled "An
3 act in regard to guardians and wards," approved April 10, 1872, be and the
4 same is hereby amended so as to read as follows, to-wit:
5 "Section 22. It shall be the duty of the guardian to put and keep his
6 ward's money at interest upon security to be approved by the court, or by
7 investing, on approval of the court, the same in United States bonds, or in
8 the bonds of any county or city, which are not issued in aid of railroads, and
9 where the laws do not permit said counties or cities to become indebted
10 in excess of five per cent. of the assessed valuation of property for taxation
11 therein, and where the total indebtedness of such county or city does not
12 exceed 5 per cent. of the assessed valuation of property for taxation at the
13 time of such investment. Personal security may be taken for loans not
14 exceeding one hundred dollars. Loans upon real estate shall be secured by
15 first mortgage thereon and not to exceed one-half the value thereof. No mort-
16 gage loan shall be made for a longer time than three years nor beyond the
17 minority of the ward; *Provided*, the same may be extended from year to
18 year without the approval of the court. The guardian shall be chargeable
19 with interest upon any money which he shall wrongfully or negligently allow
20 to remain in his hands uninvested after same might have been invested."



1. Introduced by Committee on Appropriations, March 16, 1887, and ordered to first reading.
 2. First reading March 16, 1887.
 3. March 16, passage recommended and ordered to second reading.
-

A BILL

For An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That the following named sums, or so much thereof as
3 may be necessary respectively for the purposes hereinafter named, be, and are
4 hereby appropriated to meet the ordinary and contingent expenses of the State
5 government until the expiration of the first fiscal quarter after the adjourn-
6 ment of the next regular session of the General Assembly:

7 *First*—A sum not exceeding two thousand dollars (\$2,000), per annum,
8 shall be subject to the order of the Governor for defraying of such public
9 expenses of the State government as are unforeseen by the General Assembly,
10 and not otherwise provided for by law; payment to be made from time to
11 time upon bills of particulars, certified to by the Governor.

12 *Second*—The sum of four thousand dollars (\$4,000), per annum, for private
13 secretary to the Governor for the performance of such official duties of the
14 Governor as may be required of him and for clerk hire in the executive office,
15 payable monthly, as hereinafter provided.

16 *Third*—A sum not to exceed eight hundred dollars, per annum, for postage,
17 expressage, telegraphing, and other incidental expenses connected with the
18 Governor's office, to be paid on bills of particulars, certified to by the Governor,

19 *Fourth*—To the Governor, for one porter, the sum of seven hundred
20 dollars (\$700), per annum; payable monthly.

21 *Fifth*—To the Governor, for repairs and care of executive mansion and grounds,
22 and for heating and lighting the executive mansion, three thousand dollars
23 (\$3,000), per annum; to be paid on bills of particulars, certified to by the Governor.

24 *Sixth*—To the Secretary of State, for clerk hire in his office, the sum of
25 ten thousand five hundred dollars (\$10,500), per annum, for two porters or
26 messengers, the sum of seven hundred dollars (\$700) each, per annum; and
27 for laborers, janitors, policemen and watchmen of the State House, who shall
28 perform such duties as shall be assigned to them by the Secretary of State,
29 the sum of six thousand dollars (\$6,000), per annum; all payable upon monthly
30 pay rolls, duly certified to by the Secretary of State. To the Secretary of
31 State, for repairs, postage, expressage, telegraphing and other incidental
32 expenses of the office, a sum not exceeding three thousand dollars (\$3,000),
33 per annum; and for the payment of all necessary incidental expenses incurred
34 by the Secretary of State in the care and custody of the State House and
35 grounds and other State property, and in repairs and improvements of the same,
36 and for the performance of such other duties as may be imposed upon him by
37 law, and for which no other appropriation has been made, the sum of twelve
38 thousand five hundred dollars (\$12,500), per annum; all payable upon bills
39 of particulars certified to by the Secretary of State, and approved by the
40 Governor. For comparing copy for the public printer, of the laws and joint
41 resolutions, editing the same, preparing head notes thereto and for indexing
42 the volume of laws, and making a table of contents when printed; for comparing
43 the copy for the printer for the printed volumes of the journals of the Senate
44 and House, making indexes thereto when printed, and for superintending the
45 printing thereof; for preparing a table of contents to the volumes of reports,
46 and for making and keeping proper indexes to the executive records and all
47 public files and documents in the office of the Secretary of State, as required
48 by law, the sum of three thousand dollars (\$3,000), per annum; payable to
49 the Secretary of State on his order.

50 *Seventh*—To the Secretary of State, for the purpose of fitting up the
 51 vaults in his office with fire-proof iron boxes and book racks, the sum of
 52 twenty-five hundred dollars (\$2,500), or so much thereof as may be
 53 necessary, to be paid upon bills of particulars certified to by the Secretary
 54 of State and approved by the Governor.

55 *Eighth*—For heating, fuel and pay of engineers and firemen of the State
 56 House and other incidental expenses thereof, the sum of fifteen thousand dollars
 57 (\$15,000) per annum, or so much thereof as may be needed. For repairs
 58 to heating department, including raising of boilers, overhauling and resetting
 59 same, ten thousand dollars (\$10,000), or so much thereof as may be
 60 necessary, payable on bills of particulars certified to by the Secretary of
 61 State and approved by the Governor.

62 *Ninth*—For lighting the State House, and other incidental expenses
 63 thereof, the sum of four thousand dollars (\$4,000) per annum, or so much
 64 thereof as may be necessary, to be paid upon bills of particulars, certified
 65 to by the Secretary of State and approved by the Governor.

66 *Tenth*—To the Secretary of State, for the purchase of books and for
 67 the incidental expenses of the State Library, the sum of fifteen hundred dol-
 68 lars (\$1,500) per annum, payable on bills of particulars, certified to by the
 69 Board of Commissioners of the State Library. For salary of assistant
 70 librarian, the sum of eight hundred dollars (\$800) per annum, payable
 71 monthly.

72 *Eleventh*—For the purchase on contract as required by law, and other
 73 necessary expenses connected therewith, of printing paper and stationery,
 74 for the use of the General Assembly and the executive departments,
 75 the sum of fifteen thousand dollars (\$15,000) per annum, payable on
 76 bills of particulars certified to by the Board of Commissioners of State
 77 Contracts and approved by the Governor.

78 *Twelfth*—For public printing, the sum of ———— or so much thereof
 79 as may be required. For public binding, ten thousand dollars (\$10,000) per
 80 annum, or so much thereof as may be required. The public printing and

81 binding to be paid for according to contract, upon the certificate of the
 82 Board of Commissioners of State Contracts, and approved by the Governor.
 83 *Thirteenth*—For copying the laws, journals and joint resolutions of the
 84 General Assembly, as provided by law, six hundred dollars (\$600). For
 85 distribution of laws, journals, and other State documents, and incidental
 86 expenses connected therewith, the sum of five hundred dollars (\$500), and
 87 for expressage and postage on same, twelve hundred dollars (\$1,200), payable
 88 as provided by law.

89 *Fourteenth*—Such sum as may be necessary to enable the Secretary of
 90 State to purchase such volumes of the reports of the decisions of the Supreme
 91 Court as he is or may be required by law to purchase, to be paid on bills
 92 of particulars, certified to by the Secretary of State and approved by the
 93 Governor.

94 *Fifteenth*—To the Auditor of Public Accounts, for necessary clerk hire,
 95 the sum of seven thousand five hundred dollars (\$7,500) per annum, and
 96 for two porters or messengers, the sum of seven hundred dollars (\$700)
 97 each per annum, all payable upon monthly pay rolls duly certified to by
 98 the Auditor of Public Accounts. To the Auditor of Public Accounts, for
 99 repairs, postage, express charges, telegraphing and other incidental expenses
 100 incurred in the discharge of his duties, a sum not exceeding one thousand
 101 five hundred dollars (\$1,500) per annum, and for fitting up vaults with
 102 fire proof iron boxes and book racks, the sum of twenty-five hundred dol-
 103 lars, (\$2,500), or so much thereof as may be necessary, payable upon bills
 104 of particulars certified to by the Auditor and approved by the Governor;
 105 *Provided*, no part of the amount hereby appropriated shall be used to
 106 pay the expenses of the insurance department of said office of Auditor
 107 of Public Accounts, and he shall report the annual expenses of said
 108 insurance department to each General Assembly hereafter.

109 *Sixteenth*—A sum not exceeding two thousand dollars (\$2,000) per annum,
 110 for costs and expenses of State suits, to be paid upon bills of particulars,
 111 certified to by the Auditor and approved by the Governor.

112 *Seventeenth*—A sum not exceeding twenty thousand dollars (\$20,000) per
 113 annum, or so much thereof as may be necessary, for conveying convicts
 114 to the penitentiary, and from and to the penitentiary in cases
 115 of new trial, or when used as witnesses in criminal trials, to be paid on
 116 the warden's certificate, at the compensation fixed by the general laws;
 117 the Auditor to compute the distance by the nearest railroad route.

118 *Eighteenth*—For the payment of the expenses provided for by law for
 119 the apprehension and delivery of fugitives from justice, fifteen thousand
 120 dollars (\$15,000) per annum, or so much thereof as may be necessary, to
 121 be paid on the evidence required by law, certified and approved by the
 122 Governor; and the sum of three thousand dollars (\$3,000) for rewards for
 123 arrests of fugitives from justice, to be paid upon bills of particulars, having
 124 the order of the Governor indorsed thereon.

125 *Nineteenth*—The sum of five thousand dollars (\$5,000) per annum, or so
 126 much thereof as may be needed, for conveying juvenile offenders to the Re-
 127 form School, at Pontiac, payable on the superintendent's certificate of
 128 delivery, at the rate of compensation allowed by law; the Auditor to com-
 129 pute the distance by the nearest railroad route.

130 *Twentieth*—To the State Board of Equalization, for paying expenses, a
 131 sum not to exceed eight thousand dollars (\$8,000), per annum, payable in
 132 the manner provided by law.

133 *Twenty-first*—To the State Treasurer, for clerk hire, the sum of four
 134 thousand dollars (\$4,000) per annum, and the sum of three thousand two
 135 hundred dollars (\$3,200), per annum, for two night and two day watch-
 136 men, and the sum of eight hundred dollars (\$800), per annum, for messenger
 137 and clerk, all payable upon monthly pay rolls, duly certified to by the
 138 Treasurer. To the State Treasurer, for repairs, express charges, postage,
 139 telegraphing and other necessary incidental expenses connected with his
 140 office a sum not to exceed one thousand dollars (\$1,000) per annum,
 141 payable upon bills of particulars, certified to by him and approved by the
 Governor.

142 *Twenty-second*—Such sums as may be necessary to refund the taxes on
 143 real estate sold or paid in error, and for over-payment of collector's
 144 accounts, under laws governing such cases, to be paid out of the proper
 145 funds.

146 *Twenty-third*—To the Superintendent of Public Instruction, the sum of
 147 two thousand four hundred dollars (\$2,400) per annum, for clerk hire;
 148 and for a janitor, porter and messenger, who shall also perform the duties
 149 of clerk when not otherwise employed, the sum of eight hundred dollars
 150 (\$800), per annum; all payable upon monthly pay rolls, duly certified to by
 151 the Superintendent of Public Instruction. To the Superintendent of Public
 152 Instruction, for periodicals and educational works, and other necessary
 153 expenses of said office, a sum not exceeding fifteen hundred dollars
 154 (\$1,500) per annum; and for refurnishing office, and for increase of
 155 professional library, five hundred dollars (\$500), payable on bills of particu-
 156 lars, certified to by him and approved by the Governor. Appropriations
 157 made by this clause to be paid out of the State school fund.

158 *Twenty-fourth*—The sum of fifty-seven thousand dollars (\$57,000) per
 159 annum, or so much thereof as may be necessary, to pay the interest on
 160 school fund, distributed annually in pursuance of law.

161 *Twenty-fifth*—The sum of one million dollars (\$1,000,000) annually, out
 162 of the State school fund, to pay the amount of the Auditor's orders for
 163 the distribution of said fund to the several counties, and for the pay-
 164 ment of the salaries and expenses of county superintendents of schools,
 165 as now provided by law. The Auditor shall issue his warrants to the
 166 State Treasurer, on the proper evidence that the amount distributed has
 167 been paid to the county school superintendents.

168 *Twenty-sixth*—To the Attorney-General, for clerk hire, the sum of two
 169 thousand dollars (\$2,000), per annum, and stenographer, who shall also act
 170 as clerk, eight hundred dollars per annum, and for a porter and messenger,
 171 who shall also act as porter and messenger for the Supreme Court Reporter, the
 171 sum of seven hundred dollars (\$700), per annum; payable upon monthly

172 pay rolls, duly certified to by the Attorney-General. To the Attorney-
 173 General, for telegraphing, postage and other necessary expenses incurred
 174 in the discharge of his duties, including furniture for and repairs to office,
 175 a sum not to exceed two thousand dollars (\$2,000), per annum;
 176 payable on bills of particulars certified to by him and approved by the
 177 Governor.

178 *Twenty-seventh*—To the Adjutant General, for clerk hire in his office, the
 179 sum of three thousand dollars (\$3,000), per annum: *Provided*, that in the
 180 employment of clerks and assistants in the Adjutant General's office, prefer-
 181 ence shall be given to Union soldiers, then widows and orphans; and for
 182 the ordnance sergeant employed in the care of the State property at the
 183 State arsenal, the sum of eight hundred dollars (\$800), per annum; also the
 184 sum of seven hundred dollars (\$700), per annum, for janitor and messenger
 185 for the Adjutant General's office; also the sum of seven hundred dollars
 186 (\$700), per annum, for the custodian employed in the care of the battle flags
 187 and trophies deposited in Memorial Hall; also the sum of seven hundred
 188 dollars (\$700), per annum, for a watchman and laborer at Camp Lincoln,
 189 all payable upon monthly pay roll, duly certified to by the Adjutant General.
 190 To the Adjutant General the sum of one thousand dollars (\$1,000), per
 191 annum, for telegraphing, postage, express, repairs, and making new cases
 192 in vault, and other necessary incidental expenses of his office; and the sum of
 193 two hundred dollars (\$200), per annum, or so much of it as may be necessary,
 194 for the repair, preservation and safe keeping of such additional flags and
 195 trophies as may be deposited in Memorial Hall, to be paid upon proper
 196 vouchers, approved by the Governor.

197 *Twenty-eighth*—To the Board of Public Charities, for salary of secretary, a
 198 sum not to exceed three thousand dollars (\$3,000), per annum, and for clerk
 199 hire and necessary incidental expenses of the board, a sum not to exceed three
 200 thousand dollars (\$3,000), per annum, payable on bills of particulars certified
 201 to by them and approved by the Governor.

202 *Twenty-ninth*—There is hereby appropriated to defray the incidental and
 203 contingent expenses of the Supreme Court, to-wit: For stationery, repairs,
 204 furniture, expressage, and law books, to be purchased under the direction of
 205 Justices of the Supreme Court, and other expenses deemed necessary by the
 206 court, the following sums: To the Northern Grand Division, the sum of
 207 seventeen hundred and fifty dollars (\$1,700), per annum, and in addition
 208 the sum of two hundred dollars for building necessary outhouses; to the
 209 Central Grand Division, the sum of seventeen hundred and fifty dollars
 210 (\$1,750) per annum, to the Southern Grand Division, seventeen hundred and
 211 fifty dollars (\$1,750) per annum, and for refurnishing, carpeting and fitting up
 212 the court and conference rooms used by the court in the Capitol building,
 213 the sum of one thousand dollars (\$1,000), all payable upon bills of particu-
 214 lars, certified to by at least two of the justices of said court. There is
 215 also appropriated for the pay of the librarians of the several grand
 216 divisions of said court, who shall also act as librarians for the Appellate
 217 Courts when in session in their respective grand divisions, the following
 218 sums: To the Northern and Southern Grand Divisions, each, the sum of
 219 five hundred dollars (\$500) per annum, and to the Central Grand Division,
 220 the sum of seven hundred and fifty dollars (\$750) per annum, payable upon
 221 the certificate of at least two of the justices of said court. There is also
 222 appropriated the sum of four hundred dollars (\$400) per annum, each, to the
 223 Northern, Southern and Central Grand Divisions of said court; for the
 224 pay of janitors, to perform such duties as shall be determined by said jus-
 225 tices, and to be paid upon the order of at least two of the justices of said
 226 court. There is also hereby appropriated to defray the incidental and con-
 227 tingent expenses of the Appellate Courts of this State, to-wit: To the first
 228 district for rent of court rooms, including fuel and light, the sum of five
 229 thousand (\$5,000) per annum; and to the first district for stationery, post-
 230 age, expressage, repairs, furniture, and other expenses deemed necessary
 231 by said court, the sum of twelve hundred dollars (\$1,200), per annum, to
 232 the second district, to the third district, and to the fourth district, each,

233 the sum of one thousand dollars (\$1,000) per annum, for stationery, fuel,
 234 lights, postage, expressage, repairs, furniture and other expenses deemed
 235 necessary by the respective courts; the sums to be paid upon bills of par-
 236 ticulars, certified to by the clerks of the respective courts, and upon the
 237 order of at least two of the judges of the respective courts for which the
 238 expense was incurred. Also the sum of four hundred dollars (\$400) per
 239 annum, to each of the second, third and fourth districts, for the pay of jan-
 240 itors, to perform such duties as shall be determined by the judges of the
 241 respective courts, to be paid upon the order of at least two of the judges of
 242 said courts for their district; also the sum of five thousand and five hun-
 243 dred dollars (\$5,500), to be expended in purchasing law books for the library
 244 of the Appellate Court of the first district, said books to be purchased
 245 under the direction of the judges of said court, and the sum of three hun-
 246 dred dollars (\$300) per annum, for the salary of the librarian of said court,
 247 to be paid upon the order of at least two of the judges of said court.

248 *Thirtieth*—For the salary of the curator of the Illinois State Museum of
 249 Natural History, the sum of two thousand dollars (\$2,000), per annum;
 250 for salary of one assistant, the sum of seven hundred dollars (\$700), per
 251 annum, and for the salary of one janitor, nine hundred dollars (\$900), per
 252 annum, payable monthly. For the contingent and necessary expenses of the
 253 curator, including traveling expenses on business connected with his
 254 office, the sum of three hundred dollars per annum, payable on bills of
 255 particulars, duly certified to and approved by the Governor.

256 *Thirty-first*—To the Railroad and Warehouse Commissioners, for the
 257 incidental expenses of their office, including care, stationery, postage and
 258 telegraphing, extra clerk hire, and for the secretary's salary, and for all
 259 necessary expenditures, except those hereinafter provided for, a sum not to
 260 exceed four thousand dollars (\$4,000) per annum. For expenses incurred in
 261 suits or investigations commenced by authority of the State, under any law
 262 now in force or hereafter to be enacted, empowering or instructing the Board
 263 of Commissioners, including the fees of experts employed, the sum of five

264 thousand dollars (\$5,000), per annum, or such part thereof as may be needed
 265 for such purposes. For the printing and publication of schedules of reason-
 266 able maximum rates of charges for the transportation of passengers and
 267 freights and cars, made or revised for any or all of the railroads of the State,
 268 as provided by law, the sum of three thousand dollars (\$3,000), or so much
 269 thereof as may be needed for such purpose. For the printing and publication
 270 of railroad maps of Illinois to be bound with annual reports, and for
 271 distribution of the same, the sum of eight hundred dollars (\$800), per annum,
 272 to be paid upon bills of particulars, certified to by the Commissioners and
 273 approved by the Governor.

274 *Thirty-second*—The sum of three hundred and fifty dollars (\$350) per annum
 275 for the purchase of books for the library of the Southern Illinois Penitentiary
 276 at Chester, to be paid upon bills of particulars having the order of the
 277 Governor endorsed thereon.

278 *Thirty-third*—The sum of three hundred dollars (\$300) per annum, for the
 279 purchase of books for the library of the Illinois State Penitentiary at Joliet,
 280 to be paid upon bills of particulars having the order of the Governor endorsed
 281 thereon.

282 *Thirty-fourth*—To the Commissioners of Labor Statistics, for the purpose
 283 of procuring, tabulating and publishing industrial statistics as contemplated
 284 by law, for clerical services, the employment of canvassers and the men-
 285 dental and office expenses of the board, for defraying the expenses of the
 286 mine inspection service; and for the per diem and traveling expenses of
 287 the commissioners, the sum of five thousand dollars (\$5,000), per annum,
 288 or so much thereof as may be necessary, also the sum of three hundred
 289 dollars (\$300) to defray the expenses of the biennial examination for mine
 290 inspectors; and the sum of twenty-five hundred dollars (\$2,500), per
 291 annum for the salary of the secretary of the board, the whole to be
 292 expended in the manner defined by law.

293 *Thirty-fifth*—For paying damages for animals slaughtered, and for property
 294 necessarily destroyed, and for the expenses of disinfection of premises when

such disinfection is practicable, under the provisions of any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of seventy-five thousand dollars (\$75,000), per annum, or so much thereof as may be necessary; also, any sums of money that may be received by the Board of Live Stock Commissioners as the net proceeds of the sales of the healthy carcasses of animals slaughtered under the provisions of the law and paid by them into the State Treasury, to be paid only in the manner and on the conditions provided in said law. Also, to the Board of Live Stock Commissioners, the sum of fifteen thousand dollars (\$15,000), per annum, or so much thereof as may be necessary, for the payment of the necessary expenses incurred in the discharge of their duties as prescribed by law, including the per diem and expenses of the State and Assistant State Veterinarians, the salary of secretary, and the sum of five dollars (\$5) per day to each of such commissioners for the actual number of days heretofore employed by them in such duties.

Thirty-seventh—The sum of seven thousand five hundred dollars (\$7,500), per annum, or so much of it as may be necessary, to the Fish Commissioners of the State, to be used by them in pursuance of law. The sum of two thousand dollars (\$2,000), per annum, or so much thereof as may be necessary, for the personal and traveling expenses of the Fish Commission, or such persons as may be authorized by them, in enforcing the laws relative to fishways over dams and for the protection of fish.

The sum of one thousand dollars (\$1,000), to build and equip an office and storage boat for the use of the Commission; all expenditures to be upon bills of particulars, certified to by a majority of the Commissioners, and approved by the Governor.

Thirty-eighth—To the State Board of Health, for salary of secretary, three thousand dollars (\$3,000) per annum; for necessary office expenses including expenses incurred in attending meetings of the board, and in making sanitary inspections, two thousand dollars (\$2,000), per annum; for salary of

326 assistant secretary and additional clerk hire, four thousand dollars (\$4,000),
 327 per annum. Also the sum of forty thousand dollars (\$40,000) as a contingent
 328 fund, to be used only with the consent and concurrence of the Governor,
 329 upon the recommendation and advice of the board, in case of the outbreak
 330 or threatened outbreak of any epidemic or malignant disease such as Asiatic
 331 cholera, small-pox, yellow fever, or to defray the expense of preventing the
 332 introduction of such diseases, or their spread from place to place within the
 333 State, and in suppressing outbreaks which may occur, and in investigating
 334 their causes and methods of prevention, also special investigations, when
 335 required by the sanitary necessities of the State; and any necessary
 336 expenditures from this sum shall be paid on the order of the president of
 337 the board, attested by the secretary, and approved by the Governor.

338 *Thirty-eighth*—To the Lieutenant Governor, for postage, telegraphing,
 339 stationery and other incidental expenses, the sum of fifty dollars (\$50),
 340 payable upon his order.

341 *Thirty-ninth*—The sum of three thousand dollars (\$3,000), or so much
 342 as may be necessary, to pay the expenses of committees of the Thirty sixth
 343 General Assembly; such expenses to be certified as may be provided by
 344 resolution of either house.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
 2 draw his warrants on the State Treasurer for the sums herein specified, upon
 3 the presentation of proper vouchers; and all sums herein appropriated for
 4 the pay of clerks, secretaries, porters, messengers, janitors, watchmen, police
 5 men, laborers, engineers, firemen, stenographers, curators and librarians, shall,
 6 when not otherwise provided by law, be paid upon monthly pay rolls, duly
 7 certified to respectively by the heads of departments, bureaus or boards of
 8 commissioners requiring the service of such employees; and the State Treas-
 9 urer shall pay the same out of the proper funds in the treasury, not other-
 10 wise appropriated. Said warrants shall be drawn in favor of and payable
 11 to the order of the person entitled thereto.

1. Introduced by Committee on Appropriations, March 16, 1887, and ordered to first reading.
2. First reading March 16, 1887.
3. March 16, 1887, passage recommended and ordered to second reading.
4. Second reading May 19, 1887, amended, and ordered to third reading.

A BILL.

For An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following named sums, or so much thereof as may be necessary respectively for the purposes hereinafter named, be, and are hereby appropriated to meet the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly:*

First—A sum not exceeding two thousand dollars (\$2,000), per annum, shall be subject to the order of the Governor for defraying of such public expenses of the State government as are unforeseen by the General Assembly, and not otherwise provided for by law; payment to be made from time to time upon bills of particulars, certified to by the Governor.

Second—The sum of four thousand dollars (\$4,000), per annum, for private secretary to the Governor for the performance of such official duties of the Governor as may be required of him and for clerk hire in the executive office, payable monthly, as hereinafter provided.

Third—A sum not to exceed eight hundred dollars (\$800), per annum, for postage, expressage, telegraphing, and other incidental expenses connected with the Governor's office, to be paid on bills of particulars, certified to by the Governor.

Fourth—To the Governor, for one porter, the sum of seven hundred dollars (\$700), per annum; payable monthly.

21 *Fifth*—To the Governor, for repairs and care of executive mansion and grounds,
22 and for heating and lighting the executive mansion, three thousand dollars
23 (\$3,000), per annum; to be paid on bills of particulars, certified to by the Governor.
24 *Sixth*—To the Secretary of State, for clerk hire in his office, the sum of
25 ten thousand five hundred dollars (\$10,500), per annum; for two porters or
26 messengers, the sum of seven hundred dollars (\$700) each, per annum; and
27 for laborers, janitors, policemen and watchmen of the State House, who shall
28 perform such duties as shall be assigned to them by the Secretary of State,
29 the sum of six thousand dollars (\$6,000), per annum; all payable upon monthly
30 pay rolls, duly certified to by the Secretary of State. To the Secretary of
31 State, for repairs, postage, expressage, telegraphing and other incidental
32 expenses of his office, a sum not exceeding three thousand dollars (\$3,000),
33 per annum; and for the payment of all necessary incidental expenses incurred
34 by the Secretary of State in the care and custody of the State House and
35 grounds and other State property, and in repairs and improvements of the same,
36 and for the performance of such other duties as may be imposed upon him by
37 law, and for which no other appropriation has been made, the sum of twelve
38 thousand five hundred dollars (\$12,500), per annum; all payable upon the bills
39 of particulars certified to by the Secretary of State, and approved by the
40 Governor. For comparing copy for the public printer, of the laws and joint
41 resolutions, editing the same, preparing head notes thereto and for indexing
42 the volume of laws, and making a table of contents when printed; for comparing
43 the copy for the printer for the printed volumes of the journals of the Senate
44 and House, making indexes thereto when printed, and for superintending the
45 printing thereof; for preparing a table of contents to the volumes of reports,
46 and for making and keeping proper indexes to the executive records and all
47 public files and documents in the office of the Secretary of State, as required
48 by law, the sum of three thousand dollars (\$3,000), per annum; payable to
49 the Secretary of State on his order.

50 *Seventh*—To the Secretary of State, for the purpose of fitting up the
51 vaults in his office with fire-proof iron boxes and book racks, the sum of

52 twenty-five hundred dollars (\$2,500), or so much thereof as may be
53 necessary, to be paid upon bills of particulars certified to by the Secretary
54 of State and approved by the Governor.

55 *Eighth*—For heating, fuel and pay of engineers and firemen of the State
56 House and other incidental expenses thereof, the sum of fifteen thousand dollars
57 (\$15,000) per annum, or so much thereof as may be needed. For repairs
58 to heating department, including raising of boilers, overhauling and resetting
59 same, ten thousand dollars (\$10,000), or so much thereof as may be
60 necessary, payable on bills of particulars certified to by the Secretary of
61 State and approved by the Governor.

62 *Ninth*—For lighting the State House, and other incidental expenses
63 thereof, the sum of six thousand dollars (\$6,000) per annum, or so much
64 thereof as may be necessary, to be paid on bills of particulars, certified
65 to by the Secretary of State and approved by the Governor.

66 *Tenth*—To the Secretary of State, for the purchase of books and for
67 the incidental expenses of the State Library, the sum of fifteen hundred dol-
68 lars (\$1,500) per annum, payable on bills of particulars, certified to by the
69 Board of Commissioners of the State Library. For salary of assistant
70 librarian, the sum of nine hundred dollars (\$900) per annum, payable
71 monthly.

72 *Eleventh*—For the purchase on contract as required by law, and other
73 necessary expenses connected therewith, of printing paper and stationery,
74 for the use of the General Assembly and the executive departments,
75 the sum of fifteen thousand dollars (\$15,000) per annum, payable on
76 bills of particulars certified to by the Board of Commissioners of State
77 Contracts, and approved by the Governor.

78 *Twelfth*—For public printing, the sum of fifteen thousand dollars (\$15,000), or
79 so much thereof as may be required, but that no portion of said sum shall be
80 paid for printing done under the present contract of H. W. Rokker & Co. For
81 public binding, ten thousand dollars (\$10,000) per annum, or so much thereof
82 as may be required. The public printing and binding to be paid for accord-

ing to contract, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

Thirteenth—For copying the laws, journals and joint resolutions of the General Assembly, as provided by law, six hundred dollars (\$600). For distribution of laws, journals, and other State documents, and incidental expenses connected therewith, the sum of five hundred dollars (\$500), and for expressage and postage on same, twelve hundred dollars (\$1,200), payable as provided by law.

Fourteenth—Such sum as may be necessary to enable the Secretary of State to purchase such volumes of the reports of the decisions of the Supreme Court as he is or may be required by law to purchase, to be paid on bills of particulars, certified to by the Secretary of State and approved by the Governor.

Fifteenth—To the Auditor of Public Accounts, for necessary clerk hire, the sum of seven thousand five hundred dollars (\$7,500) per annum, and for two porters or messengers, the sum of seven hundred dollars (\$700) each per annum, all payable upon monthly pay rolls duly certified to by the Auditor of Public Accounts. To the Auditor of Public Accounts, for repairs, postage, express charges, telegraphing and other incidental expenses incurred in the discharge of his duties, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum, and for fitting up vaults with fire proof iron boxes and book racks, the sum of twenty-five hundred dollars, (\$2,500), or so much thereof as may be necessary, payable upon bills of particulars certified to by the Auditor and approved by the Governor: *Provided*, no part of the amount hereby appropriated shall be used to pay the expenses of the insurance department of said office of Auditor of Public Accounts, and he shall report the annual expenses of said insurance department to each General Assembly hereafter.

Sixteenth—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs and expenses of State suits, to be paid upon bills of particulars, certified to by the Auditor and approved by the Governor.

112 *Seventeenth*—A sum not exceeding twenty thousand dollars (\$20,000) per
113 annum, or so much thereof as may be necessary, for conveying convicts
114 to the penitentiary, and from and to the penitentiary in cases
115 of new trial, or when used as witnesses in criminal trials, to be paid on
116 the warden's certificate, at the compensation fixed by the general laws;
117 the Auditor to compute the distance by the nearest railroad route.

118 *Eighteenth*—For the payment of the expenses provided for by law for
119 the apprehension and delivery of fugitives from justice, fifteen thousand
120 dollars (\$15,000) per annum, or so much thereof as may be necessary, to
121 be paid on the evidence required by law, certified and approved by the
122 Governor; and the sum of three thousand dollars (\$3,000) for rewards for
123 arrests of fugitives from justice, to be paid upon bills of particulars, having
124 the order of the Governor indorsed thereon.

125 *Nineteenth*—The sum of five thousand dollars (\$5,000) per annum, or so
126 much thereof as may be needed, for conveying juvenile offenders to the Re-
127 form School, at Pontiac, payable on the superintendent's certificate of
128 delivery, at the rate of compensation allowed by law; the Auditor to com-
129 pute the distance by the nearest railroad route.

130 *Twentieth*—To the State Board of Equalization, for paying expenses, a
131 sum not to exceed eight thousand dollars (\$8,000), per annum, payable in
132 the manner provided by law.

133 *Twenty-first*—To the State Treasurer, for clerk hire, the sum of four
134 thousand dollars (\$4,000) per annum; and the sum of three thousand two
135 hundred dollars (\$3,200), per annum, for two night and two day watch-
136 men; and the sum of eight hundred dollars (\$800), per annum, for messenger
137 and clerk; all payable upon monthly pay rolls, duly certified to by the
138 Treasurer. To the State Treasurer, for repairs, express charges, postage,
139 telegraphing and other necessary incidental expenses connected with his
140 office, a sum not to exceed one thousand dollars (\$1,000) per annum; payable
141 upon bills of particulars, certified to by him and approved by the Governor.

142 *Twenty-second*—Such sums as may be necessary to refund the taxes on
143 real estate sold or paid in error, and for over-payment of collector's
144 accounts, under laws governing such cases, to be paid out of the proper
145 funds.

146 *Twenty-third*—To the Superintendent of Public Instruction, the sum of
147 three thousand one hundred dollars (\$3,100) per annum, for clerk hire;
148 and for a janitor, porter and messenger, who shall also perform the duties
149 of clerk when not otherwise employed, the sum of five hundred dollars
150 (\$500), per annum; all payable upon monthly pay rolls, duly certified to by
151 the Superintendent of Public Instruction. To the Superintendent of Public
152 Instruction, for periodicals and educational works, and other necessary
153 expenses of said office, a sum not exceeding fifteen hundred dollars
154 (\$1,500) per annum; and for refurnishing office, and for increase of
155 professional library, five hundred dollars (\$500), payable on bills of particu-
156 lars, certified to by him and approved by the Governor. Appropriations
157 made by this clause to be paid out of the State school fund.

158 *Twenty-fourth*—The sum of fifty-seven thousand dollars (\$57,000) per
159 annum, or so much thereof as may be necessary, to pay the interest on
160 school fund, distributed annually in pursuance of law.

161 *Twenty-fifth*—The sum of one million dollars (\$1,000,000) annually, out
162 of the State school fund, to pay the amount of the Auditor's orders for
163 the distribution of said fund to the several counties, and for the pay-
164 ment of the salaries and expenses of county superintendents of schools,
165 as now provided by law. The Auditor shall issue his warrants to the
166 State Treasurer, on the proper evidence that the amount distributed has
167 been paid to the county school superintendents.

168 *Twenty-sixth*—To the Attorney-General, for clerk hire, the sum of two
169 thousand dollars (\$2,000), per annum; and stenographer, who shall also act
170 as clerk, eight hundred dollars per annum; and for a porter and messenger,
171 who shall also act as porter and messenger for the Supreme Court Reporter, the
172 sum of seven hundred dollars (\$700), per annum; payable upon monthly

173 pay rolls, duly certified to by the Attorney-General. To the Attorney-
174 General, for telegraphing, postage and other necessary expenses incurred
175 in the discharge of his duties, including furniture for and repairs to office,
176 a sum not to exceed two thousand five hundred dollars (\$2,500), per annum;
177 payable on bills of particulars certified to by him and approved by the Governor.

178 *Twenty-seventh*—To the Adjutant General, for clerk hire in his office, the
179 sum of three thousand dollars (\$3,000), per annum: *Provided*, that in the
180 employment of clerks and assistants in the Adjutant General's office, prefer-
181 ence shall be given to Union soldiers, their widows and orphans; and for
182 the ordnance sergeant employed in the care of the State property at the
183 State arsenal, the sum of eight hundred dollars (\$800), per annum; also the
184 sum of seven hundred dollars (\$700), per annum, for janitor and messenger
185 for the Adjutant General's office; also the sum of seven hundred dollars
186 (\$700), per annum, for the custodian employed in the care of the battle flags
187 and trophies deposited in Memorial Hall; also the sum of seven hundred
188 dollars (\$700), per annum, for a watchman and laborer at Camp Lincoln,
189 all payable upon monthly pay roll, duly certified to by the Adjutant General.
190 To the Adjutant General the sum of one thousand dollars (\$1,000), per
191 annum, for telegraphing, postage, express, repairs, and making new cases
192 in vault, and other necessary incidental expenses of his office; and the sum of
193 two hundred dollars (\$200), per annum, or so much of it as may be necessary,
194 for the repair, preservation and safe keeping of such additional flags and
195 trophies as may be deposited in Memorial Hall, to be paid upon proper
196 vouchers, approved by the Governor.

197 *Twenty-eighth*—To the Board of Public Charities, for salary of secretary, a
198 sum not to exceed two thousand five hundred dollars (\$2,500) per annum; and for
199 clerk hire and necessary incidental expenses of the board, a sum not to exceed
200 four thousand dollars (\$4,000) per annum, payable on bills of particulars certi-
201 fied to by them and approved by the Governor.

202 *Twenty-ninth*—There is hereby appropriated to defray the incidental and
203 contingent expenses of the Supreme Court, to-wit: For stationery, repairs,
204 furniture, expressage, printing, and law books, to be purchased under the direc-
205 tion of Justices of the Supreme Court, and other expenses deemed necessary by
206 the court, the following sums: To the Northern Grand Division, the sum of
207 seventeen hundred and fifty dollars (\$1,700), per annum, and in addition
208 the sum of two hundred dollars (\$200), for building necessary outhouses; to the
209 Central Grand Division, the sum of seventeen hundred and fifty dollars
210 (\$1,750) per annum; to the Southern Grand Division, seventeen hundred and
211 fifty dollars (\$1,750) per annum; and for refurnishing, carpeting and fitting up
212 the court and conference rooms used by the court in the Capitol building,
213 the sum of one thousand dollars (\$1,000); all payable upon bills of particu-
214 lars, certified to by at least two of the justices of said court. There is
215 also appropriated for the pay of the librarians of the several grand
216 divisions of said court, who shall also act as librarians for the Appellate
217 Courts when in session in their respective grand divisions, the following
218 sums: To the Northern and Southern Grand Divisions, each, the sum of
219 five hundred dollars (\$500) per annum; and to the Central Grand Division,
220 the sum of one thousand dollars (\$1,000) per annum, payable upon
221 the certificate of at least two of the justices of said court. There is also
222 appropriated the sum of four hundred dollars (\$400) per annum, each, to the
223 Northern, and Central Grand Divisions of said court; for the pay
224 of janitors, to perform such duties as shall be determined by said jus-
225 tices, and to be paid upon the order of at least two of the justices of said
226 court. There is also hereby appropriated to defray the incidental and con-
227 tingent expenses of the Appellate Courts of this State, to-wit: To the first
228 district for rent of court rooms, including fuel and light, the sum of five
229 thousand dollars (\$5,000, per annum; and to the first district for stationery, post-
230 age, expressage, repairs, furniture, and other expenses deemed necessary
231 by said court, the sum of twelve hundred dollars (\$1,200), per annum; to
232 the second district, to the third district, and to the fourth district, each,

233 the sum of one thousand dollars (\$1,000) per annum, for stationery, fuel,
234 lights, postage, expressage, repairs, furniture and other expenses deemed
235 necessary by the respective courts; these sums to be paid upon bills of par-
236 ticulars, certified to by the clerks of the respective courts, and upon the
237 order of at least two of the judges of the respective court for which the
238 expense was incurred. Also the sum of four hundred dollars (\$400) per
239 annum, to each of the second, third and fourth districts, for the pay of jan-
240 itors, to perform such duties as shall be determined by the judges of the
241 respective courts, to be paid upon the order of at least two of the judges of
242 said courts for their district; also the sum of five thousand and five hun-
243 dred dollars (\$5,500), to be expended in purchasing law books for the library
244 of the Appellate Court of the first district, said books to be purchased
245 under the direction of the judges of said court, and the sum of five hun-
246 dred dollars (\$500) per annum, for the salary of the librarian of said court,
247 to be paid upon the order of at least two of the judges of said court.

248 *Thirtieth*—For the salary of the curator of the Illinois State Museum of
249 Natural History, the sum of two thousand dollars (\$2,000), per annum;
250 for salary of one assistant, the sum of seven hundred dollars (\$700), per
251 annum; and for the salary of one janitor, nine hundred dollars (\$900), per
252 annum, payable monthly. For the contingent and necessary expenses of the
253 curator, including traveling expenses on business connected with his
254 office, the sum of three hundred dollars (\$300) per annum; payable on bills
255 of particulars, duly certified to and approved by the Governor.

256 *Thirty-first*—To the Railroad and Warehouse Commissioners, for the
257 incidental expenses of their office, including care, stationery, postage and
258 telegraphing, extra clerk hire, and for the secretary's salary, and for all
259 necessary expenditures, except those hereinafter provided for, a sum not to
260 exceed four thousand dollars (\$4,000) per annum. For expenses incurred in
261 suits or investigations commenced by authority of the State, under any law
262 now in force or hereafter to be enacted, empowering or instructing the Board
263 of Commissioners, including the fees of experts employed, the sum of five

264 thousand dollars (\$5,000), per annum, or such part thereof as may be needed
 265 for such purposes. For the printing and publication of schedules of reason-
 266 able maximum rates of charges for the transportation of passengers and
 267 freights and cars, made or revised for any or all of the railroads of the State,
 268 as provided by law, the sum of three thousand dollars (\$3,000), or so much
 269 thereof as may be needed for such purpose. For the printing and publication
 270 of railroad maps of Illinois to be bound with annual reports, and for
 271 distribution of the same, the sum of eight hundred dollars (\$800), per annum;
 272 to be paid upon bills of particulars, certified to by the Commissioners and
 273 approved by the Governor.

274 *Thirty-second*—The sum of three hundred and fifty dollars (\$350) per annum
 275 for the purchase of books for the library of the Southern Illinois Penitentiary
 276 at Chester, to be paid upon bills of particulars having the order of the
 277 Governor endorsed thereon.

278 *Thirty-third*—The sum of three hundred dollars (\$300) per annum, for the
 279 purchase of books for the library of the Illinois State Penitentiary at Joliet,
 280 to be paid upon bills of particulars having the order of the Governor endorsed
 281 thereon.

282 *Thirty-fourth*—To the Commissioners of Labor Statistics, for the purpose
 283 of procuring, tabulating and publishing industrial statistics as contemplated
 284 by law; for clerical services, the employment of canvassers and the inci-
 285 dental and office expenses of the board; for defraying the expenses of the
 286 mine inspection service; and for the per diem and traveling expenses of
 287 the commissioners, the sum of five thousand dollars (\$5,000), per annum,
 288 or so much thereof as may be necessary; also the sum of three hundred
 289 dollars (\$300) to defray the expenses of the biennial examination for mine
 290 inspectors; and the sum of twenty-five hundred dollars (\$2,500), per
 291 annum for the salary of the secretary of the board, the whole to be
 292 expended in the manner defined by law.

293 *Thirty-fifth*—For paying damages for animals exposed to contagion slaugh-
 294 tered, and for property necessarily destroyed, and for the expenses of disinfect-

tion of premises when such disinfection is practicable, under the provisions of any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of seventy-five thousand dollars (\$75,000), per annum, or so much thereof as may be necessary; also, any sums of money that may be received by the Board of Live Stock Commissioners as the net proceeds of the sales of the healthy carcasses of animals slaughtered under the provisions of the law and paid by them into the State Treasury, to be paid only in the manner and on the conditions provided in said law: *Provided*, that in no case shall there be any sum paid out of the above funds for such animals as are already diseased at the time of their slaughter: *And, provided further*, that the amount paid for animals slaughtered shall not exceed their actual cash value, and in no case shall the sum paid for any one animal exceed seventy-five dollars. The above shall also apply to damages for animals heretofore slaughtered under any law of this State that have not been paid for. Also, to the Board of Live Stock Commissioners, the sum of fifteen thousand dollars (\$15,000), per annum, or as much thereof as may be necessary, for the payment of the necessary expenses incurred in the discharge of their duties as prescribed by law, including the per diem and expenses of the State and Assistant State Veterinarians, the salary of secretary, and the sum of five dollars (\$5) per day to each of such commissioners for the actual number of days heretofore employed by them in such duties.

Thirty-sixth—The sum of seven thousand five hundred dollars (\$7,500), per annum, or so much of it as may be necessary, to the Fish Commissioners of the State, to be used by them in pursuance of law. The sum of two thousand dollars (\$2,000), per annum, or as much thereof as may be necessary, for the personal and traveling expenses of the Fish Commission, or such persons as may be authorized by them, in enforcing the laws relative to fishways over dams and for the protection of fish.

325 The sum of one thousand dollars (\$1,000), to build and equip an office,
 326 and storage boat for the use of the Commission; all expenditures to be
 327 upon bills of particulars, certified to by a majority of the Commissioners, and
 328 approved by the Governor.

329 *Thirty-seventh*—To the State Board of Health, for salary of secretary, three
 330 thousand dollars (\$3,000), per annum; for necessary office expenses, including
 331 expenses incurred in attending meetings of the board, and in making sanitary
 332 inspections, two thousand dollars (\$2,000), per annum, six hundred dollars
 333 (\$600) of which per annum shall be applied as the salary of a messenger
 334 and janitor of the board, for salary of assistant secretary and addi-
 335 tional clerk hire, four thousand dollars (\$4,000), per annum. Also
 336 the sum of forty thousand dollars (\$40,000) as a contingent fund,
 337 to be used only with the consent and concurrence of the Governor,
 338 upon the recommendation and advice of the board, in case of the outbreak
 339 or threatened outbreak of any epidemic or malignant disease such as Asiatic
 340 cholera, small-pox, yellow fever, or to defray the expense of preventing the
 341 introduction of such diseases, or their spread from place to place within the
 342 State, and in suppressing outbreaks which may occur, and in investigating
 343 their causes and methods of prevention, also special investigations, when
 344 required by the sanitary necessities of the State; and any necessary
 345 expenditures from this sum shall be paid on the order of the president of
 346 the board, attested by the secretary, and approved by the Governor.

347 *Thirty-eighth*—To the Lieutenant Governor, for postage, telegraphing,
 348 stationery and other incidental expenses, the sum of fifty dollars (\$50),
 349 payable upon his order.

350 *Thirty-ninth*—The sum of three thousand dollars (\$3,000), or so much
 351 as may be necessary, to pay the expenses of committees of the Thirty-sixth
 352 General Assembly; such expenses to be certified as may be provided by
 353 resolution of either house.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
 2 draw his warrants on the State Treasurer for the sums herein specified, upon

3 the presentation of proper vouchers; and all sums herein appropriated for
4 the pay of clerks, secretaries, porters, messengers, janitors, watchmen, police-
5 men, laborers, engineers, firemen, stenographers, curators and librarians, shall,
6 when not otherwise provided by law, be paid upon monthly pay rolls, duly
7 certified to respectively by the heads of departments, bureaus or boards of
8 commissioners requiring the services of such employees; and the State Treas-
9 urer shall pay the same out of the proper funds in the treasury, not other-
10 wise appropriated. Said warrants shall be drawn in favor of and payable
11 to the order of the person entitled thereto.

(Substitute for Senate Bills Nos. 106 and 211.)

1. Introduced by Committee on Judiciary, March 16, 1887, and ordered to first reading
2. First reading March 16, 1887.
3. March 16 ordered to second reading.

A BILL

For An Act in regard to aliens, and to restrict their right to acquire and hold real and personal estate; and to provide for the disposition of the lands now owned by non-resident aliens.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That a non-resident alien, firm of aliens, or alien
3 corporation, shall not be capable of acquiring title to or taking or holding
4 any lands or real estate in this State by descent, device, purchase or other-
5 wise.

§ 2. All aliens may acquire and hold personal property in the same man-
2 ner and to the same extent as natural born citizens of the United States, and
3 the personal estate of an alien dying intestate shall be distributed in the same
4 manner as the estates of natural born citizens, and all persons interested in
5 such estate shall be entitled to proper distributive shares thereof under the
6 laws of this State, whether they are aliens or not.

§ 3. Any alien resident of the United States, who shall declare his inten-
2 tion of becoming a citizen of the United States in accordance with the natur-
3 alization laws thereof, shall thereupon be authorized and enabled to take and
4 hold lands and real estate of any kind whatsoever to him, his heirs and
5 assigns forever, and may, during six years thereafter, sell, assign, mortgage,
6 devise and dispose of the same in any manner as he might or could do if he

7 were a natural born citizen of the United States. *Provided*, That at the time of
 8 acquiring such lands he causes to be recorded in the office of the recorder of deeds
 9 of the county in which the said lands are situated a certified copy of his said
 10 declaration of intentions to become such citizen, but no such alien, unless he
 11 be an actual resident of this State, shall have power to lease or demise any
 12 real estate which he may take or hold by virtue of this provision until he
 13 becomes a naturalized citizen of the United States.

§ 4. If any alien, who has declared his intention of becoming a citizen,
 2 shall not become a naturalized citizen of the United States within six years
 3 after the declaration of his intention, and be living, shall not have sold said
 4 real estate to purchasers thereof for value and in good faith, such real estate
 5 acquired by him under the authority of this act shall revert to, escheat, and
 6 become the property of the State of Illinois; and it shall then be the duty
 7 of the State's attorney of the county in which said lands are situated to pro-
 8 ceed by information, in the name of the people of the State of Illinois,
 9 against such alien in the circuit court of such county, and summons may issue
 10 or service be had upon such alien by publication in the same manner as in
 11 chancery cases, and such court shall have jurisdiction to hear and determine
 12 such information and to order the sale of such lands by a special commis-
 13 sioner, to be appointed by the court at such time and place and upon such
 14 conditions and terms as the court may direct, and the court shall tax as
 15 costs such fees for the State's attorney as shall be reasonable, and allow to
 16 such special commissioner the same fees as are allowed by law to masters in
 17 chancery for the sale of lands under decree of foreclosure, and all fees and
 18 costs are to be taken out of the proceeds of the sale of such real estate.

§ 5. The special commissioner shall give bond for the performance of his
 2 duty with security to be approved by the court, and after the approval by
 3 the court of the sale of such real estate shall deposit all money and secu-
 4 rities arising from such sale with the State Treasurer, and it shall be the
 5 duty of the State Treasurer to collect the money due, or to become due,
 6 upon such securities: *Provided*, All securities for unpaid balances of the pur-

7 chase money of such lands shall be made payable to the people of the State
8 of Illinois.

§ 6. All persons defendant in said information, and in possession of such
2 lands at the time of the rendition of judgment of sale, shall, on or before
3 the first day of March next, after the rendition of such judgment, deliver
3 possession of said lands to the special commissioner herein provided for.

§ 7. Within ten years after judgment in any proceeding had under this
2 title a person not a party or privy to such proceeding may file a petition
3 before the Commissioner of Claims, if there be such commissioner, and if
4 not, then in the circuit court of Sangamon county, showing his claim or
5 right to the property, or the proceeds thereof. A copy of such petition shall
6 be served on the Attorney General at least twenty days before the hearing of
7 the petition, who shall answer the same, and the Commissioner of Claims or
8 said circuit court shall thereupon try the issue according to the rules of prac-
9 tice of such commissioner or court, and if it be determined that such person
10 is entitled to the property, or the proceeds thereof, the property, if it has not
11 been sold, shall be returned and delivered to him, or if it has been sold and
12 the proceeds thereof paid into the State Treasury, then the State shall repay
13 to the petitioner such proceeds in the manner provided by law, but without
14 interest or cost to the State. All persons who fail to appear and file their
15 petitions within the time limited are forever barred, saving, however, to
16 infants and persons of unsound mind, or persons beyond the limits of the
17 United States, the right to appear and file their petitions at any time within
18 five years after their respective disabilities cease or have been removed.

§ 8. Any alien, non-resident of the United States, who owns land in this
2 State at the time this act takes effect, shall have the right and power to
3 dispose of the same during his lifetime to bona fide purchasers, for value, and
4 to take security for the purchase money, with the same right as to such
5 securities as a citizen of the United States, except that if he or his non-
6 resident heirs again obtain title to the said lands or any sale thereof made by
7 virtue of any judgment or decree of any court of law or equity rendered in

8 order to enforce the payment of any part of such purchase money, he or his
9 said non-resident heirs shall only hold the title to said lands for three years
10 after obtaining the same, and if said lands so acquired are not sold in good
11 faith to bona-fide purchasers for value, within said time, then the said lands
12 shall be forfeited to and escheat to the people of the State of Illinois in the
13 same manner as provided in this act.

§ 9. An act to amend chapter four, revised laws, entitled "Aliens,"
2 approved February 17, 1851, in force February 17, 1851, and all other acts
3 and parts of acts in conflict with this act are hereby repealed, and this act
4 shall be known and designated as "Chapter six of the Revised Statutes of
5 this State."

(A substitute for Senate Bill 109.)

1. Introduced by Committee on Judiciary, March 16, 1887, and ordered to first reading.
2. First reading March 16, 1887, and ordered to second reading.

A BILL

For An Act to amend section sixteen of an an act entitled "An act to revise the law in relation to Clerks of Courts," approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section sixteen (16) of an act entitled "An act
3 to revise the law in relation to clerks of courts," approved March 25, 1874,
4 in force July 1, 1874, be, and the same is hereby amended so as to read as
5 follows:

6 "Section 16. The respective clerks of the circuit courts, the superior court
7 of Cook county, and the county court, shall keep in their offices the following
8 books, to-wit:

9 *First*—A general docket, upon which shall be entered all suits, in the order
10 in which they are commenced.

11 *Second*—Two well-bound books, to be denominated "Plaintiff's Index to

- 12 Court Records," and "Defendant's Index to Court Records," to be ruled and
 13 printed substantially in the following manner:

Plaintiff's.		Defendant's.		Kind of Ac- tion.		Term Commenced		Record Book		Pages.	
Term Disposed of.		Date of Judgment.		Judgment Docket.		Execution Docket <i>fi fi</i> .		Execution Docket Alias.		Execution Docket pluries.	
				Book.		Page.		Book.		Page.	
Fee Book.		Certificate of Levy.		Certificate of Sale.		Certificate of Redemption.		Satisfied or not Satisfied.		Number of Case.	
Book.	Page.	Book.	Page.	Book.	Page.	Book.	Page.	Book.	Page.	Book.	Page.

14 In which all cases shall be entered, in alphabetical order, by the name of
 15 each plaintiff and defendant. Said books shall set forth the names of the
 16 parties, kind of action, term commenced, the record book and pages on which
 17 cases are recorded, the term disposed of, date of judgment, books and pages
 18 of the judgment docket, execution docket, fee books, certificates of levy, sale
 19 and redemption, records on which they are entered, satisfied or not satisfied,
 20 and number of case. The defendant's index shall be ruled and printed in the
 21 same manner as the plaintiff's, except the parties shall be reversed.

22 *Third*—Proper books of record, with indices, showing the names of all the
 23 parties to any suit or judgment therein recorded, with a reference to the page
 24 where it is recorded.

25 *Fourth*—A judgment and execution docket, in which all final judgments
 26 and decrees shall be minuted at the time they are entered, or within sixty
 27 days thereafter, in alphabetical order, by the name of every person against
 28 whom the judgment or decree is entered, showing, in the proper columns
 29 ruled for that purpose, the names of the parties, the date, nature of

30 the judgment or decree, amount of debt, damages and costs, in
 31 separate items, for which it is issued, to whom issued, when
 32 returned, and the manner of its execution; a blank column shall be
 33 kept in which may be entered a note, of the satisfaction or other
 34 disposition of the judgment or decree, and when satisfied by execution, or
 35 otherwise, or set aside or enjoined, the clerk shall enter a minute thereof in
 36 such column, showing how disposed of, the date and the book and page, where
 37 the evidence thereof is to be found. Such dockets may be searched by persons,
 38 at all reasonable times, without fee.

39 *Fifth*—A fee book, in which shall be distinctly set down, in items, the
 40 proper title of the cause, the heads, the cost of each suit, including clerk's,
 41 sheriff's and witness fees, stating the name of each witness having claimed his
 42 attendance during the term, with the number of days he attended at each
 43 term. It shall not be necessary to insert the costs in the judgment or
 44 decree; but whenever a suit is determined and final judgment entered, the
 45 costs of each party litigant shall be made up and entered in such fee book,
 46 which shall be considered a part of the record and judgment, subject, how-
 47 ever, at all times to be corrected by the court; and the prevailing party shall
 48 be considered as having recovered judgment for the amount of the costs so
 49 taxed in his favor, and the same shall be included in the execution issued upon
 50 such judgment or decree, and a bill thereof accompanying each execution.
 51 If any clerk shall issue a fee bill or a bill of costs with the execution without
 52 first entering the same in his fee book, or if any such bill of costs or fee bill
 53 shall be issued which shall not be in substance a copy of the recorded bill,
 54 the same shall be void. Any person having paid such bill of costs or fee
 55 bill, may recover from the clerk the amount thereof, with costs of suit, in any
 56 court of competent jurisdiction.

57 *Sixth*—The clerk's, judge's and bar docket, as provided by section fourteen
 58 (14) of the act in relation to practice in courts of record, with alphabetical
 59 indices thereto, by the name of each plaintiff and defendant.

60 *Seventh*—Such other books of record and entry as are provided by law, or
61 may be required in the proper performance of their duties. All records,
62 dockets and books required by law to be kept by such clerks shall be deemed
63 public records, and shall at all times be open to inspection without fee or
64 reward. And all persons shall have free access for inspection and examination
65 to such records, dockets and books, and also to all papers on file in the
66 different clerk's offices, and shall have the right to take memoranda and
67 abstracts thereof."

1. Introduced by Mr. Johns, March 16, 1887, and ordered to first reading.
2. First reading March 16, 1887, and referred to Committee on Judiciary.
3. Reported back March 23, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section thirty-one of an act entitled "An act concerning conveyances," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section thirty-one of an act entitled "An act
3 concerning conveyances," approved March 29, 1872, in force July 1, 1872, be
4 and the same is hereby so amended as to read as follows:
5 "Section 31. Deeds, mortgages and other instruments of writing relating
6 to real estate, shall be deemed, from the time of being filed for record, notice
7 to subsequent purchasers and creditors, though not acknowledged and proven
8 according to law; but such instruments hereafter filed for record shall not be
9 read as evidence unless their execution be proved in the manner required by
10 the rules of evidence applicable to such instruments so as to supply any defects
11 of such acknowledgment or proof: *Provided,* that upon the trial of any cause
12 in law or equity, if any party to such cause, his agent or attorney, in his
13 behalf, shall orally or by affidavit to be filed in such cause, testify and state
14 that the original of any such instrument heretofore made relating to real
15 estate or any interest therein, whereby the rights of any person may be
16 affected in law or equity and which has been recorded, and in which any cer-
17 tificate or certificates of acknowledgment is or are defective under any law of
18 this State, but which certificate or certificates of acknowledgment from the record
19 thereof purport to have been certified to by any person purporting under any

20 law of this State in force at the time of the making thereof to have been
21 authorized to take or certify to the acknowledgment of such instrument, is
22 lost, or not within the power of the party wishing to use it, to
23 produce on the trial of any cause, the record of such instrument, or a copy
24 of such record, certified by the recorder in whose office the same may have
25 been recorded, may be read in evidence in any court in this State without
26 further proof, and shall be *prima facie* evidence of the execution of such
27 instrument."

1. Introduced by Mr. Sumner, March 16, 1887, and ordered to first reading.
2. First reading March 16, 1887, and referred to Committee on Judicial Department.
3. Reported back March 18, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections three (3), eight (8), and eleven (11), of an act entitled
"An act to organize and regulate county fire insurance companies," approved
June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That sections three (3), eight (8), and eleven (11), of
3 an act entitled "An act to organize and regulate county fire insurance com-
4 panies," approved June 2, 1877, in force July 1, 1877, be amended so as to
5 read as follows:
6 "Section 3. The number of directors shall be not less than nine, and not
7 more than fifteen, a majority of whom shall constitute a quorum to do busi-
8 ness, be elected from the corporators by ballot, of whom one-third shall be
9 elected for one year, one-third for two years, and one-third for three years,
10 and until their successors are elected and qualified. All subsequent elections,
11 except to fill vacancies, one-third of said board of directors shall be
12 elected for three years; said election shall be held at the annual meeting of
13 the company, which shall be on the first Tuesday after the first Monday in
14 January in each year. *Provided,* that any company now incorporated and
15 doing business under this act may at any time so change their mode of
16 electing their board of directors at an annual meeting so as to be in con-
17 formity with this act. In the election of the first board of directors each

18 corporator shall be entitled to one vote; at every subsequent election every
 19 person insured shall be entitled to as many votes as there are directors to be
 20 elected, and an equal additional number for every risk or risks he holds in the
 21 company, and may cast the same in person or by proxy, distributing them
 22 among the same or a less number of directors to be elected, or cumulating
 23 them upon one candidate, as he shall think fit.

24 "Section 8. Such company may issue policies only on detached dwellings,
 25 barns, (except livery, boarding and hotel barns), and other farm buildings, and
 26 such property as may properly be contained therein, also other property on
 27 the premises and owned by the insured, hay and grain in the stack, and live
 28 stock on the premises of the insured and anywhere in the county, for any
 29 time not exceeding five years, and not to extend beyond the limited dura-
 30 tion of the charter, and for an amount not to exceed four thousand
 31 five hundred (\$4,500) dollars on any one risk. All persons so insured shall
 32 give their obligation to the company, binding themselves, their heirs and assigns,
 33 to pay their pro rata share to the company of the necessary expenses and all
 34 losses by fire or lightning, which may be sustained by any member thereof
 35 during the time for which their respective policies are written, and they shall
 36 also, at the time of effecting the insurance, pay such a per centage in cash
 37 and such other charges as may be required by the rules or by-laws of the
 38 company.

39 "Section 11. Every member of such company who may sustain loss or
 40 damage by fire or lightning, shall immediately notify the president of such
 41 company, or in his absence the secretary thereof, stating the amount of dam-
 42 age or loss claimed, and if not more than two hundred dollars (\$200,) then
 43 the president and secretary shall proceed to ascertain the amount of such loss
 44 or damage and adjust the same. If the claim for damage or loss shall be an
 45 amount greater than two hundred dollars (\$200), then the president of such
 46 company, or in case of his absence, the secretary thereof, shall forthwith con-
 47 vene the directors of such company, whose duty it shall be, when convened,
 48 to appoint a committee of not less than three disinterested members of such
 49 company, to ascertain the amount of such damage or loss. If in either case

50 there is a failure of the parties to agree upon the amount of such damage
 51 or loss, the claimant may appeal to the judge of the county court of the
 52 county in which the office of such company is located, whose duty it shall be
 53 to appoint three disinterested persons as a committee of reference, who shall
 54 have full authority to examine witnesses, and to determine all matters in dis-
 55 pute, and shall make their award in writing to the president of such company,
 56 and such award shall be final. The pay of said committee shall be two dol-
 57 lars (\$2) per day for each day's service so rendered, and four cents for each
 58 mile necessarily traversed in the discharge of their duties, which shall be paid
 59 by the claimant, unless the award of said committee shall exceed the sum
 60 offered by the company in liquidation of such loss or damage, in which case
 61 said expenses shall be paid by the company.

AMENDMENTS PROPOSED BY THE COMMITTEE ON JUDICIAL DEPARTMENT.

Amend written bill by inserting between the words "dwellings" and "barns,"
 2 in second line of section 8, the following words: "school houses" and
 3 "churches."

1. Introduced by Mr. Sumner, March 16, 1887, and ordered to first reading.
2. First reading March 16, 1887, and referred to Committee on Judicial Department.
3. Reported back March 18, with amendment, passage recommended, and ordered to second reading.
4. Second reading April 9, 1887, amended, and ordered to third reading.

A BILL

For An Act to amend sections three (3), eight (8), and eleven (11), of an act entitled
"An act to organize and regulate county fire insurance companies," approved
June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That sections three (3), eight (8), and eleven (11), of*
3 *an act entitled "An act to organize and regulate county fire insurance com-*
4 *panies," approved June 2, 1877, in force July 1, 1877, be amended so as to*
5 *read as follows:*

6 "Section 3. The number of directors shall be not less than nine, and not
7 more than fifteen, a majority of whom shall constitute a quorum to do busi-
8 ness, be elected from the corporators by ballot, of whom one-third shall be
9 elected for one year, one-third for two years, and one-third for three years,
10 and until their successors are elected and qualified. All subsequent elections
11 except to fill vacancies, one-third of said board of directors shall be
12 elected for three years; said election shall be held at the annual meeting of
13 the company, which shall be on the first Tuesday after the first Monday in
14 January in each year: *Provided, that any company now incorporated and*
15 *doing business under this act may at any time so change their mode of*
16 *electing their board of directors at an annual meeting as to be in con-*
17 *formity with this act. In the election of the first board of directors each*

18 corporator shall be entitled to one vote; at every subsequent election every
19 person insured shall be entitled to as many votes as there are directors to be
20 elected, and an equal additional number for every risk or risks he holds in the
21 company, and may cast the same in person or by proxy, distributing them
22 among the same or a less number of directors to be elected, or cumulating
23 them upon one candidate, as he shall think fit.

24 "Section 8. Such company may issue policies only on detached dwellings,
25 school houses, churches, barns, (except livery, boarding and hotel barns), and other
26 farm buildings, and such property as may properly be contained therein, also other
27 property on the premises and owned by the insured, hay and grain in the stack, and
28 live stock on the premises of the insured and anywhere in the county, for any
29 time not exceeding five years, and not to extend beyond the limited dura-
30 tion of the charter, and for an amount not to exceed four thousand
31 five hundred (\$4,500) dollars on any one risk. All persons so insured shall
32 give their obligation to the company, binding themselves, their heirs and assigns,
33 to pay their pro rata share to the company of the necessary expenses and all
34 losses by fire or lightning, which may be sustained by any member thereof
35 during the time for which their respective policies are written, and they shall
36 also, at the time of effecting the insurance, pay such a per centage in cash
37 and such other charges as may be required by the rules or by-laws of the
38 company.

39 "Section 11. Every member of such company who may sustain loss or
40 damage by fire or lightning, shall immediately notify the president of such
41 company, or in his absence the secretary thereof, stating the amount of dam-
42 age or loss claimed, and if not more than two hundred dollars (\$200,) then
43 the president and secretary shall proceed to ascertain the amount of such loss
44 or damage and adjust the same. If the claim for damage or loss shall be an
45 amount greater than two hundred dollars (\$200), then the president of such
46 company, or in case of his absence, the secretary thereof, shall forthwith con-
47 vene the directors of such company, whose duty it shall be, when convened,
48 to appoint a committee of not less than three disinterested members of such
49 company, to ascertain the amount of such damage or loss. If in either case

50 there is a failure of the parties to agree upon the amount of such damage or
51 loss, the claimant may appeal to the judge of the county court of the county
52 in which the office of such company is located, whose duty it shall be to
53 appoint three disinterested persons as a committee of reference, who shall have
54 full authority to examine witnesses, and to determine all matters in dispute,
55 and shall make their award in writing to the president of such company, and
56 such award shall be final. The pay of said committee shall be two dollars
57 (\$2) per day for each day's service so rendered, and four cents for each mile
58 necessarily traversed in the discharge of their duties, which shall be paid by
59 the claimant, unless the award of said committee shall exceed the sum offered
60 by the company in liquidation of such loss or damage, in which case said
61 expenses shall be paid by the company."



1. Introduced by Committee on County and Township Organization, March 17, 1887, and ordered to first reading.
2. First reading March 17, 1887, and ordered to second reading.

A BILL

An Act to amend an act entitled "An act to require officers having in their custody public funds, to prepare and publish an annual statement of the receipt and disbursement of such funds," approved May 30, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section one of "An act entitled an act to
3 require officers having in their custody public funds to prepare and publish
4 an annual statement of the receipt and disbursment of such funds," approved
5 May 30, 1881, be and the same is hereby amended to read as follows:
6 "Section 1. That each and every public officer elected or appointed, of
7 each and every county and township in this State, who shall, by virtue
8 of his or her office, having the custody of public funds, shall, at the
9 expiration of each fiscal year, prepare a statement of the amount of public
10 funds received and expended by him or her during the fiscal year just closed,
11 which statement shall show the amount of public funds, if any, on hand
12 at the commencement of said fiscal year, the amount of public funds
13 expended and for what purposes expended; and the officer making such
14 statement shall subscribe and swear to the same before some person authorized
15 to administer oaths; and such officer shall cause such statement to be published
16 in some newspaper published in the county in which such officer holds his
17 or her office, for one week, and if no newspaper be published in such county,

18 then such officer shall make three written copies of such statement, and
19 post them in three (3) of the most public places nearest to the location of
20 his or her office: *Provided*, that the provisions of this act shall not apply
21 to sheriffs, circuit clerks, county clerks, county recorders, county superin-
22 tendents of schools, county treasurers, county collectors and township collectors
23 in counties under township organization: *And, provided further*, that the
24 cost for the publication of said statement shall not exceed the sum of one
25 dollar (\$1) per one hundred words, to be paid out of the funds in the hands
26 of the officer making such statement: *And, provided further*, that said public
27 officer shall not be required to have said statement published if he shall
28 be unable to procure such publication at the price allowed by this act.
29 *And, it is further provided*, that this act shall not apply to towns in counties
30 under township organization, where there is only one election precinct in
31 said township, nor where the population does not exceed two thousand,
32 except where the electors shall instruct at the annual town meeting for
33 such publication."

1. Introduced by Mr. Garrity, March 17, 1887, and ordered to first reading.
2. First reading March 17, 1887, and referred to Committee on License and Miscellany.
3. Reported back April 20, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to repeal an act to incorporate the Chicago Board of Trade, approved
February 18, 1859.

WHEREAS, the purposes for which the Board of Trade of Chicago was
2 originally organized, viz: To develop and encourage internal commerce in
3 the Northwestern States, has been entirely lost sight of for many years, and
4 such Board of Trade has been diverted from its original and legitimate pur-
5 pose and jurisdiction, and become an institution for the promotion and
6 encouragement of gaming, and is wholly given up to speculative contracts,
7 and its management is detrimental to the interests of the agricultural classes,
8 a tax on the industries of the producers of the State, productive of public
9 disgrace and private ruin; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That an act entitled "An act to incorporate the*
3 *Chicago Board of Trade," approved February 8, 1859, be and the same is*
4 *hereby repealed.*

§ 2. That the secretary of the said corporation shall within ninety days
2 after this law shall take effect, file in the office of the clerk of the Superior
3 Court of Cook county, a schedule of all the property belonging to said cor-
4 poration, together with all debts due to, choses in action, and per-
5 sonal assets belonging to or due and owing to said Board of Trade.

6 Also a true and complete schedule, so far as the same are known, of all the

7 just demands or claims held by any person or persons against said corpora-
8 tion.

§ 3. The Judge of the Superior Court of Cook county shall appoint some
2 suitable person to act as a receiver to close up the business of said corpora-
3 tion, and such court shall fix the amount of the bond which is to be given by
4 such receiver, and approve the same when given, and when all debts and credits
5 of such corporation shall have been collected and all debts paid, such receiver
6 shall then, under the direction of said court, sell all the property, both real
7 and personal, belonging to such corporation, either for cash or on credit, as
8 may by the court be determined, for the best interests of the stockholders of
9 the corporation, and report all sums collected from time to time to the court,
10 which shall fix some reasonable compensation for his services, and the fees of
11 attorneys, which may be paid by such receiver out of the proceeds of such
12 sale as well as all costs of such proceedings.

§ 4. All moneys derived from the sale of such property, and all assets of
2 such corporation shall be equitably divided by decree of said court amongst
3 the stockholders of such corporation according to their respective interests as
4 shown by the books of such corporation.

1. Introduced by Mr. Crabtree, March 17, 1887, and ordered to first reading.
2. First reading March 17, 1887, and referred to Committee on Judiciary.
3. Reported back April 14, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to suppress bucket-shops and gambling in stocks, bonds, petroleum, cotton, grain, provisions or other produce.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That it shall be unlawful for any corporation, as-*
 3 *sociation, co-partnership or person to keep or cause to be kept within this*
 4 *State any "bucket-shop," office, store or other place, wherein is conducted or*
 5 *permitted the pretended buying or selling of the shares of stocks or bonds of*
 6 *any corporation, or petroleum, cotton, grain, provisions or other produce, either*
 7 *on margins or otherwise, without any intention of receiving and paying for*
 8 *the property so bought, or of delivering the property so sold; or wherein is*
 9 *conducted or permitted the pretended buying or selling of such property on*
 10 *margins; or when the party buying any of such property, or offering to buy*
 11 *the same, does not intend actually to receive the same if purchased or to*
 12 *deliver the same if sold; and the keeping of all such places is hereby pro-*
 13 *hibited. And any corporation or person, whether acting individually, or as a*
 14 *member, or as an officer, agent or employe of any corporation, association, or*
 15 *co-partnership, who shall be guilty of violating this section, shall, upon con-*
 16 *viction thereof, be fined in any sum not less than \$200 and not more than*
 17 *\$500; and any person or persons who shall be guilty of a second offense under*
 18 *this statute, in addition to the penalty above prescribed, shall, upon convic-*

19 tion, be imprisoned in the county jail for a period of six months, and if a cor-
 20 poration, shall be liable to a forfeiture of its charter. And the continuance
 21 of such establishment after first conviction, shall be deemed a second offense.

§ 2. It shall not be necessary, in order to commit the offense defined in
 2 section 1 of this act, that both the buyer and the seller shall agree to do any
 3 of the acts therein prohibited, but the said crime shall be complete against
 4 any corporation, association, co-partnership or person thus pretending or offer-
 5 ing to sell, or thus pretending or offering to buy, whether the offer to sell or
 6 buy is accepted or not; and any corporation, association, co-partnership or
 7 person who shall communicate, receive, exhibit or display, in any manner,
 8 any such offer to so buy or sell, or any statements or quotations of the prices
 9 of any such property, with a view to any such transaction as aforesaid, shall
 10 be deemed an accessory, and upon conviction thereof shall be fined and pun-
 11 ished the same as the principal, and as provided in section 1 of this act.

§ 3. It shall be the duty of every commission merchant, co-partnership,
 2 association, corporation or broker doing business as such to furnish, upon
 3 demand, to any customer or principal for whom such commission merchant,
 4 broker, co-partnership, corporation or association has executed any order for
 5 the actual purchase or sale of any of the commodities hereinbefore mentioned,
 6 either for immediate or future delivery, a written statement containing the
 7 names of the parties from whom such property was bought, or to whom it
 8 shall have been sold, as the case may be, the time when, the place where,
 9 and the price at which the same was either bought or sold; and in case such
 10 commission merchant, broker, co-partnership, corporation or association shall
 11 refuse promptly to furnish such statement upon reasonable demand, the fact
 12 of such refusal shall be *prima facie* evidence that such property was not sold
 13 or bought in a legitimate manner.

§ 4. Whoever knowingly permits any of the illegal acts aforesaid in his
 2 building, house, or in any outhouse, booth, arbor or erection of which he has
 3 the care or possession, shall be fined not less than \$500 nor more than \$1,000;
 4 and any penalty so adjudged shall be a lien upon the premises on or in which

5 such unlawful acts are carried on or permitted. It is the intention of this
6 act to prevent, punish and prohibit, within this State the business now
7 engaged in and conducted in places commonly known and designated as
8 bucket-shops, and also to include the practice now commonly known as bucket-
9 shopping by persons, corporations, associations, or co-partnerships, who osten-
10 sibly carry on the business or occupation of commission merchants or brokers
11 in grain, provisions, petroleum, stocks and bonds. And it shall be the duty,
12 under this act, of all the judges of the several circuit courts in this State,
13 and of the judges of the criminal court of Cook county, at every regular term
14 thereof, to charge all regularly impaneled grand juries to make due investi-
15 gation and report upon all violations of the provisions of this act.



1. Received from House May 4, 1887, and ordered to first reading.
2. First reading May 25, 1887, and ordered to second reading without reference.

A BILL

For An Act to authorize Cities and Villages to establish and maintain Kindergarten
Schools.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly*, Incorporated cities and villages are hereby authorized
3 and empowered to support and maintain by taxation equally upon all taxable
4 property within the limits of said cities and villages, free kindergarten schools.

§ 2. Whenever a petition signed by twenty-five or more legal voters of
2 any city or village shall be presented to the city council or president and
3 board of trustees of any village requesting a vote upon the question of
4 establishing and maintaining a system of kindergarten schools, it shall be the
5 duty of the city council or president and board of trustees of such village to
6 submit the question to a vote of the people of said city or village at the next
7 annual election, and if a majority of the votes cast at such election shall be
8 in favor of establishing and maintaining such system of kindergarten schools,
9 then at the next succeeding annual election of said city or village, there shall
10 be elected in addition to the officers now provided for by law, a board to be
11 known as the "Kindergarten Board," to consist of three members, and three
12 additional members for each additional five thousand inhabitants, to be elected
13 in the same manner and at the same time as the aldermen in cities and
14 trustees in villages are elected. Said board shall hold their said office for one
15 year and until their successors are elected and qualified.

§ 3. Such board shall, within one month after their election, meet and
2 organize by electing one of their number president and one of them clerk.

3 Such board, when so organized, shall have power and it shall be their duty

4 *First*—To establish said kindergarten school and maintain the same not less
5 than three months nor more than nine months in each year.

6 *Second*—To repair and improve school houses, and to rent buildings and
7 rooms for the same, when necessary to furnish them with the necessary
8 fixtures, furniture, apparatus, libraries and fuel.

9 *Third*—To buy or lease or receive by gift, sites for school houses, with the
10 necessary grounds.

11 *Fourth*—To make regulations for the admission of pupils into the same.

12 *Fifth*—To examine and employ teachers for the same, and fix their salaries.

13 *Sixth*—To lay off and divide said city or village into sub-districts and from
14 time to time create new ones or consolidate them.

15 *Seventh*—To visit all of said schools as often as once each month, to inquire
16 into the progress of schools and their government and to prescribe the method
17 and course of discipline and instruction and to see that they are maintained
18 in a proper manner.

19 *Eighth*—To expel any pupil who may be guilty of gross disobedience or
20 misconduct, and to dismiss and remove any teacher, whenever, in their
21 opinion, he or she is not qualified to teach, or from any cause the interest of
22 the school may, in their opinion, require their removal or dismissal. They
23 shall also have power to apportion the scholars to the several schools as may,
24 in their opinion, be necessary.

25 *Ninth*—To establish all such by-laws and regulations for the government
26 and for the establishment and maintenance of a proper and uniform system
27 in the several schools as may, in their opinion, be necessary.

28 *Tenth*—To take charge of the school houses, furniture, and ground and
29 other property belonging to said schools and see that the same are kept in
30 good condition so that the same may not be injured or allowed to deteriorate
31 and to provide fuel and other necessities, as in their opinion may be required,

32 and to provide for themselves at the expense of the fund hereafter mentioned,
33 a well bound book in which shall be kept a faithful record of all their pro-
34 ceedings, and none of the powers herein conferred upon said board shall
35 be exercised by them except at a regular or special meeting of said board, a
36 majority of whom shall be a quorum to do business.

§ 4. All conveyances or leases shall be made to the city or village in their
2 corporate name and style and may be by said city or village sold or conveyed
3 upon the request in writing of a majority of said board of said schools upon
4 such terms and conditions as said board shall stipulate in writing except that
5 the proceeds of said sale shall be kept as a part of said school fund for the
6 benefit of said schools and subject to the control of said school board.

§ 5. The city council in cities, and president and board of trustees in
2 villages, shall and they are hereby authorized at the time of making their
3 annual appropriation to make an additional appropriation to be known as the
4 kindergarten fund, of so much as shall be deemed sufficient and recommended
5 by the said kindergarten board, or a majority of them, for the support of said
6 school for the ensuing year, not, however, exceeding the sum of two per
7 cent. on every one hundred dollars worth of property in said city or village,
8 and the same shall be levied and collected at the same time and in the same
9 manner as the municipal tax now is, or hereafter may be collected, and shall
10 be paid over to the treasurer of said city or village for the use of said school,
11 and by him paid out only on the written order of said kindergarten board,
12 signed by the president and clerk, and the said cities and villages are hereby
13 authorized to levy and collect said tax, and no power herein conferred upon
14 said kindergarten board shall be exercised by the city council or president
15 and board of trustees of villages.

§ 6. Whenever any city or village may desire to suspend the operation of
2 this act, the same may be done upon the following conditions and not
3 otherwise, viz: Whenever twenty-five or more legal voters shall present to
4 the city council or the president and board of trustees of any village a
5 petition requesting a vote upon the question of maintaining or suspending the

6 operations of said act, it shall be the duty of said city council or the president
7 and board of trustees to submit the same to the legal voters of said city
8 or village at the next annual election, and if a majority of the votes cast at
9 said election are in favor of suspending the operations of this act, then the
10 same shall be suspended in said city or village.

§ 7. After this act shall have been suspended, as provided in section six,
2 the same shall have no effect or force in said city or village until again put
3 into effect in the following manner: Whenever a petition signed by twenty-
4 five or more legal voters of said city or village shall be presented to the city
5 council or president and board of trustees of said village requesting a vote
6 upon the question of maintaining said school, it shall be the duty of said city
7 council or president and board of trustees to submit the same to the legal
8 voters of said city or village at the next annual election, and if a majority of
9 the votes cast upon that question are in favor of maintaining said schools,
10 then this act shall be in full force and effect from that time as though said
11 act had not been suspended.

1. Introduced by Mr. Wheeler, March 18, 1887, and ordered to first reading.
2. First reading March 18, 1887, and referred to Committee on Agriculture and Drainage.
3. Reported back March 31, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend section thirty-one (31) of an act to revise the law in relation to landlord and tenant, approved May 1, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section thirty-one of "An act to revise the law in relation to landlord and tenant," in force July 1, 1873, be amended so as to read as follows:

"Section 31. Every landlord shall have a lien upon the crops grown or growing on the demised premises for the rent thereof, whether the same is payable wholly or in part in money or specific articles of property or products of the premises, or labor, and also for the faithful performance of the terms of the lease. Such liens shall continue for the period of six months after the expiration of the term for which the premises were demised: *Provided*, that no purchase shall incur any liability to such landlord by reason of any purchase of any such crop unless he shall have received notice of such lien from said landlord previous to paying for the same to such tenant. *Provided further*, that this provision shall not apply to crops growing, or grain in cribs or grainaries, upon the premises whereon such crops are grown."

1. Introduced by Mr. McGrath, March 18, 1887, and ordered to first reading.
2. First reading March 18, 1887, and referred to Committee on Elections.
3. Reported back April 14, 1887, passage recommended, and ordered to second reading

A BILL

For An Act to amend sections one (1), and two (2), of an act, entitled "An act to regulate the Illinois Industrial University, and to make appropriations therefor," approved May 7, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That sections one (1) and two (2) of an act, entitled
3 "An act to regulate the Illinois Industrial University, and to make appro-
4 priations therefor," approved May 7, 1873, in force July 1, 1873, be and are
5 hereby so amended as to read as follows:

6 "Section 1. There shall be elected eight trustees of the University of
7 Illinois, as provided by this act, who, together with the Governor, the State
8 Superintendent of Public Instruction, and the President of the State Board
9 of Agriculture, shall constitute the Board of Trustees of the University of
10 Illinois, and shall succeed to and exercise all the powers conferred by the
11 act, entitled "An act to provide for the organization and maintenance of the
12 Illinois Industrial University," approved February 28, 1867, except as is herein
13 or may be hereafter provided by law. At the general election to be held
14 in the several precincts and counties of this State on the Tuesday next after
15 the first Monday of November in the year of our Lord one thousand eight
16 hundred and eighty-eight, there shall be elected eight trustees of the said

17 university, who shall enter upon the duties of their office on the third Mon-
18 day of January next succeeding their election."

19 "Section 2. The members of the board of trustees, so elected, shall, at
20 their first meeting after the election, as provided in section number 1 of this
21 act, divide themselves into four classes, of two each, to be known as class
22 number one, class number two, class number three and class number four. The
23 term of service of class number one shall expire in two years; the term of service
24 of class number two shall expire in four years; the term of service of class
25 number three shall expire in six years; the term of service of class number
26 four shall expire in eight years. Beginning two years after the first election
27 there shall be two trustees elected every two years, and their term of office
28 shall be eight years. The trustees to be elected as provided in this act, shall
29 be voted for on the same ballots with the state officers to be chosen at such
30 recurring general elections, and the election of said trustees shall be con-
31 ducted, and the canvass, statement, and return of the votes cast for said
32 trustees shall be made, in the same manner, and by the same officers, and
33 shall be governed in every particular by the laws of this State governing a
34 general election. *Provided*, in case of vacancy in said board, such vacancy
35 shall be filled by appointment by the Governor until the next general election."

(Substitute for Senate Bill 140.)

1. Introduced by Committee on Labor and Manufactures, March 24, 1887, and ordered to first reading.
2. First reading March 24, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section 11 of an act entitled "An act to
3 enable associations of persons to become a body corporate to raise funds to
4 be loaned only among the members of such association;" be amended by
5 adding thereto the following section.
6 "Section 15. Whenever those representing one-third of the shares of stock of any
7 association heretofore or hereafter to be organized under the act to which
8 this is an amendment shall request in writing the Auditor of the State to
9 examine into the affairs of such association, the said Auditor shall in person
10 or by one or more persons appointed by him, and not officers, agents or
11 shareholders of such association, who shall take an oath to the faithful per-
12 formance of duty, the form of which shall be prescribed by the Auditor, and
13 which oath shall be filed in the Auditor's office, to examine into the affairs
14 of the association, and it shall be the duty of the officers or agents of the
15 same to cause their books, and all papers, and receipt book of shareholders,
16 to be presented for such examination, and to otherwise facilitate the same so
17 far as they can, the Auditor or his appointee or appointees for the purpose of

18 such examination, shall have power to examine under oath, the officers or
19 agents of such association, or others, if it should be deemed necessary, and
20 the Auditor shall cause a statement of such examination to be filed in his
21 office, and shall cause a copy of said statement to be published in some
22 paper which is printed at the city, village or town where said association is
23 located, or if no paper is published at such city, village or town, then in the
24 newspaper the nearest to which such association is located. The association
25 examined shall pay to the Auditor a reasonable compensation for the services
26 of the examiner and the expenses necessarily made in the examination "

-
1. Introduced by Mr. Cochran, March 24, 1887, and ordered to first reading.
 2. First reading March 24, 1887, and referred to Committee on Agriculture and Drainage.
 3. Reported back March 31, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the sale of veal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if any person kills or causes to be killed, for the purposes of sale, any immature calf or any calf less than four weeks old, or knowingly sells, or has in his possession with intent to sell, for food, the meat of any immature calf or of any calf killed when less than four weeks old, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days, or by both fine and imprisonment, and all such meat exposed for sale, or kept with intent to sell, may be seized and destroyed by any health officer, or any sheriff, deputy sheriff, constable or police officer.

(Substitute for Senate Bill No. 23.)

1. Introduced by Committee on Judiciary, March 25, 1887, and ordered to first reading.
2. First reading March 25, 1887, and ordered to second reading without reference.

A BILL

For An Act to regulate the Manufacture, Transportation and sale of Explosives,
and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person, firm, company or corporation who
3 shall make, manufacture, compound, buy or sell, or otherwise procure or dispose
4 of, or bring within the limits of this State, any dynamite, or any nitro-chlorate,
5 or other explosive compound, with the intent to use the same, or that the same
6 may be used for injury to or the destruction of life or property in any place
7 whatsoever, shall be deemed guilty of felony, and upon conviction thereof shall
8 be punished by imprisonment for a term of not less than five years nor more
9 than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufacturing,
2 compounding, buying, selling, procuring, disposing of, storing, removing or
3 transporting any dynamite, nitro-chlorate, or other explosive compound, as
4 above named, either furnishing the materials, ingredients, skill, means or labor,
5 or by acting as agent, or in any manner acting as accessory before the fact,
6 knowing or having reason to believe that the same is to be used by any person
7 or persons in any way for injury to or destruction of life or property, shall be
8 deemed principal, and upon conviction shall be subject to the same punishment
9 as provided in section one of this act.

§ 3. Any person soliciting or contributing money or other property for the manufacture, sale, transportation or use of said explosive compounds, knowing or having reason to believe that the same is intended to be used for any unlawful destruction of life or property, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment, not less than three nor more than twenty-five years.

§ 4. No person, firm, company or corporation shall make, manufacture, compound, buy, sell, procure, dispose of, store, keep, remove or transport, by means of any public or private conveyance, over land or water, any dynamite, nitrochlorate or other explosive compound, for any purpose whatever, without a permit for such purpose, signed by the county clerk of the county in which such manufacturing, selling, compounding, and removal or transportation is desired to be done, and duly attested with the seal of said official. The permit shall specify the object for which the permit is issued, whether it be to manufacture, buy, sell, or have transported, any such compound; and the said officer issuing the said permit shall keep a record of the names and residences of persons to whom such permit is issued, and the purpose for which said explosive compound is to be used. [The officer authorized by this act shall not issue such permit unless satisfied that the purpose for which such explosive compound is to be used is a lawful one.] Any person, firm, company or corporation making, procuring, disposing of, storing, keeping, removing or transporting any such compound without such permit shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine or imprisonment, or both, in the discretion of the court, such fine to be not less than two hundred nor more than one thousand dollars, and for a second offense shall be deemed guilty of a felony and be subject to imprisonment for not less than one nor more than five years, and a fine of not less than five hundred nor more than two thousand dollars.

§ 5. Any person, firm, company or corporation who, by fraud, deception or misrepresentation, shall procure the transportation of any such explosive compound in any public conveyance shall be deemed guilty of felony, and upon conviction shall be punished by imprisonment in the penitentiary for the term

5 of not less than one year nor more than five years, and a fine of not less than
6 five hundred dollars nor more than two thousand dollars.

§ 6. It shall be the duty of every person in this State to whom permit shall
2 be granted to sell or otherwise dispose of any such explosive compound as above
3 described, to keep a record of the name and residence of every person to whom he
4 disposes of any such explosive compound, and the kind and amount thereof, and
5 the date of such transaction and the purposes for which such compound is to be
6 used; and such record shall be preserved for not less than three years. All
7 persons, firms, companies or corporations transporting any of the above
8 compounds shall keep a record of the name and residence of the person, firm,
9 company or corporation forwarding such explosive compound, and of the kind
10 and amount forwarded, together with the name and address of the person, firm,
11 company or corporation to whom the same is forwarded, with the date of its
12 receipt and delivery, and no transportation company shall receive any such
13 explosive compound for transportation, unless the same is labeled as to its
14 contents, and unless a permit for its transportation is attached thereto, duly
15 issued by the officer authorized to issue such permits. Any violation of the pro-
16 visions of this section shall be punished by a fine of not less than one hundred
17 dollars nor more than five hundred dollars. All records as above described shall
18 at all times be open to the inspection of sheriffs, coroners, constables, city, village
19 or town marshals, chiefs of police or policemen of any city, village or town within
20 the State of Illinois.

§ 7. Any person, firm, company or corporation desiring to make, manufacture,
2 compound, buy, sell, procure, dispose of, store, keep, remove or transport, by
3 means of any public or private conveyance, overland or water, any of the
4 explosives aforesaid, shall file with the county clerk of the county in which a
5 permit therefor is desired, an application in writing, under oath, containing a
6 statement of the name or names of the person, firm or corporation desiring
7 such permit, his, their or its place of business, the kind of business or trans-
8 action to be engaged in with reference to such explosives, and when they are
9 to be transported from one place to another, their destination, the kind and

10 quantity of such explosives to be so transported, the name of the railroad or
11 other route over which the same are to pass, together with the name and
12 address of the consignee or consignees thereof. And thereupon, if said clerk
13 shall be satisfied that such application is made in good faith, and for a proper
14 and legitimate purpose, he may issue a permit in accordance with the terms
15 of such application, and file said application in his office, and he shall be en-
16 titled to a fee of fifty cents for each permit issued in accordance with the
17 provisions of this act.

(Substitute for Senate Bill No. 23.)

1. Introduced by Committee on Judiciary, March 25, 1887, and ordered to first reading.
2. First reading March 25, 1887, and ordered to second reading without reference.
3. Second reading April 21, 1887, amended, and ordered to third reading.

A BILL

For An Act to regulate the Manufacture, Transportation and sale of Explosives,
and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person, firm, company or corporation who
3 shall make, manufacture, compound, buy or sell, or otherwise procure or dispose
4 of, or bring within the limits of this State, any dynamite, or any nitro-chlorate,
5 or other explosive compound, with the intent to use the same, or that the same
6 may be used for injury to or the destruction of life or property in any place
7 whatsoever, shall be deemed guilty of felony, and upon conviction thereof shall
8 be punished by imprisonment for a term of not less than five years nor
9 more than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufacturing,
2 compounding, buying, selling, procuring, disposing of, storing, removing or
3 transporting any dynamite, nitro-chlorate, or other explosive compound, as
4 above named, either furnishing the materials, ingredients, skill, means or labor,
5 or by acting as agent, or in any manner as accessory before the fact,
16 knowing or having reason to believe that the same is to be used by any person
7 or persons in any way for injury to or destruction of life or property, shall be

8 deemed principal, and upon conviction shall be subject to the same punishment
9 as provided in section one of this act.

§ 3. Any person soliciting or contributing money or other property for the
2 manufacture, sale, transportation or use of said explosive compounds knowing or
3 having reason to believe that the same is intended to be used for any unlawful
4 destruction of life or property, shall be deemed guilty of a felony, and upon
5 conviction shall be punished by imprisonment, not less than three nor more than
6 twenty-five years.

§ 4. That no person, firm, company or corporation shall make, manufac-
2 ture or compound within the limits of this State any dynamite, nitro-chlor-
3 ate or other explosive compounds within one mile of any inhabited dwelling,
4 and no person, firm, company or corporation shall make, manufacture or
5 compound any dynamite, nitro-chlorate or other explosive compound
6 without a permit for such purpose, signed by the county clerk of the
7 county in which said manufacturing or compounding, is desired to be done,
8 and duly attested with the seal of said official. And the said official issuing
9 the said permit shall keep a record of the names and residences of persons
10 to whom such writ is issued. The officer authorized by this act shall not issue
11 such permit unless the purpose for which such explosive or compound is to be
12 manufactured is a lawful one. Any person, firm, company or corporation
13 making any such compound without such permit shall be guilty of a mis-
14 demeanor, and upon conviction thereof, shall be subject to a fine or imprison-
15 ment, or both, in the discretion of the court, such fine to be not less than
16 two hundred dollars nor more than one thousand dollars, and for a second
17 offense shall be deemed guilty of a felony and be subject to imprisonment in
18 the penitentiary for not less than one year nor more than five years, and a
19 fine of not less than five hundred dollars nor more than two thousand
20 dollars.

§ 5. That no person, firm, company or corporation shall store or keep
2 any dynamite, nitro-chlorate or other explosive compound within three hun-
3 dred yards of any inhabited dwelling if the same shall be located without

4 any city, nor within the limits of any city except in conformity with the
5 existing ordinances governing the storage or keeping of such explosive com-
6 pound. Any violation of the provisions of this section shall be punished by
7 a fine of not less than one hundred dollars nor more than five hundred
8 dollars.

§ 6. It shall be the duty of every person in this State to whom shall
2 sell or otherwise dispose of any such explosive compound as above described,
3 to keep a record of the name and residence of every person to whom he
4 disposes of any such explosive compound, and the kind and amount thereof, and
5 the date of such transaction and such record shall be preserved for not
6 less than three years. All persons, firms, companies or corporations trans-
7 porting any of the above compounds shall keep a record of the names and
8 residences of the person, firm, company or corporation forwarding such ex-
9 plosive compound, and of the kind and amount forwarded, together with
10 the name and address of the person, firm, company or corporation to whom
11 the same is forwarded, with the date of its receipt and delivery, and no
12 transportation company shall receive any such explosive compound for trans-
13 portation, unless the same is marked "explosive," "dangerous", in plainly
14 legible letters on the outside of each and every package. Any violation
15 of the provisions of this section shall be punished by a fine of not less
16 than one hundred dollars nor more than five hundred dollars. All records
17 as above described shall, if any provision of this act shall hereafter be
18 violated be open to the inspection of the prosecuting attorney of any
19 county when any such violation shall occur for the purpose of detecting
20 or convicting the person or persons guilty of such violation: *Provided,*
21 *however,* that the provisions and restrictions of this law so far as they shall
22 or may relate to the manufacture, sale or transfer of any of the explosive
23 articles herein enumerated shall not apply to any such articles which shall
24 be consigned to any point without the limits of this State except that all
25 packages shall be marked "explosive", "dangerous."

§ 7. Any person, firm, company or corporation who, by fraud, deception
2 or misrepresentation, shall procure the transportation of any such explosive
3 compound in any public conveyance shall be deemed guilty of felony, and
4 upon conviction shall be punished by imprisonment in the penitentiary for the
5 term of not less than one year, and a fine of not less than five hundred
6 dollars nor more than two thousand dollars.

1. Introduced by Committee on Public Buildings and Grounds March 25, 1887, and ordered to first reading.
2. First reading March 25, 1887, and referred to Committee on Appropriations.
3. Reported back April 27, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for repairs upon the State House.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the sum of twenty-two thousand dollars*
 3 *(\$22,000) or so much thereof as may be necessary, is hereby appropriated*
 4 *out of any moneys in the State treasury not otherwise appropriated, for*
 5 *making the necessary repairs upon the State House. The sum hereby*
 6 *appropriated to be expended by the Secretary of State upon estimates fur-*
 7 *nished him by the architect, as follows:*

8	For repairing the dome	\$7,500
9	For repairing cornice at base of dome.....	1,000
10	For repairing roof outside of dome.....	1,000
11	For regrading, concreting and finishing sub-basement.....	7,500
12	For relaying sewers and connecting down spouts.....	2,500
13	For painting all outside windows and sash.....	1,500

13 Said Secretary of State shall not be bound absolutely by the estimates
 14 furnished, and when the appropriation exceeds the estimate in any item
 15 the excess may be used in supplying any deficiencies that may occur in
 16 the estimates in other items; but the total cost of the repairs herein
 17 authorized shall not be greater in the aggregate than the appropriation
 18 hereby made, nor shall any expense or liability be incurred by said Sec-
 19 retary of State beyond said sum.

§ 2. The said Secretary of State is hereby authorized to draw the money
 2 hereby appropriated from time to time as may be necessary, by presenting
 3 to the Auditor a requisition signed by said Secretary of State, approved
 4 by the Governor. And the Auditor is hereby authorized and directed to
 5 draw his warrant upon the Treasurer for the amount named in the requisition.

§ 3. Whereas, by reason of the necessity for a portion of the repairs
 5 hereby authorized being made without delay in order that further damage
 6 may not result, an emergency exists and this act shall be in force from
 7 and after its passage.

AMENDMENTS PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 356.

Amend line 12, page 1, by striking out the words "twenty-two thousand"
 2 and insert the words "nineteen thousand five hundred" in lieu thereof; also

Amend line 13 by striking out the figures "22,000" and insert the figures
 2 "19,500" in lieu thereof; also

Amend by striking out line 30, page 1.

1. Introduced by Mr. Burke, March 25, 1887, and ordered to first reading.
2. First reading March 25, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, and recommended that the bill be printed and placed upon the calendar.

A BILL

For An Act providing for the permanent closing of stores and workshops on Sunday.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever shall keep open on Sunday any shop, store, factory, or other place for the manufacture, or preparation, or packing, or sale, or other disposition of any goods, wares, or merchandise, except as in this act otherwise expressly provided, shall be deemed guilty of a high misdemeanor, any upon conviction thereof, shall be fined in a sum not less than fifty nor more than five hundred dollars for each offense, and shall be committed to the common jail till the fine and costs are paid.

§ 2. Whoever shall procure or permit to be employed in any secular business on Sunday, in any of the places mentioned in section one of this act, any clerk, workman, or other person, except as is in this act expressly permitted, shall be deemed guilty of a like misdemeanor, and shall suffer the like penalty as is prescribed in the foregoing section.

§ 3. This act shall not apply to the delivery of milk on Sunday, nor to the sale of medicine, nor to the running of street cars, or other means for the necessary transportation of the people for all lawful purposes, nor to the circulation of proper books, tracts, or papers, nor to any other work of necessity or charity. In case of any question whether any particular work be a

6 work of necessity, or of charity, any person may apply to any court having
7 equity jurisdiction, to enjoin the same, and upon such application the question
8 aforesaid shall be determined.

§ 4. In addition to the penalties in this act above provided, the several
2 remedies hereinafter specified may be had for any offense described in this act.
3 A fine not exceeding two hundred dollars may be recovered in a common suit
4 before a justice of the peace or police magistrate, commenced by summons in
5 the name of the people of this State, on the relation of any person who may
6 make complaint. Each and every of the offenses described in this act is
7 hereby declared to be a nuisance, and it shall be the duty of all courts of
8 equity in this State, upon the proper application, to enjoin and prohibit the
9 same, and no bond shall be required of the complainant in such a case. A
10 bill or petition for injunction may be filed by any person aggrieved, either in
11 his own name, or in the name of the people on his relation.

§ 5. Subject to the provisions of this act, and of other laws of this State,
2 all persons may spend Sunday in any orderly and peaceable manner as they
3 may deem proper; and no person shall be prosecuted, harrassed or annoyed,
4 under color of this act, for anything done on Sunday which is not prohibited
5 by some law or ordinance, or which is not in its nature offensive and con-
6 trary to the peace and good order of society.

1. Introduced by Mr. Evans, March 29, 1887, and ordered to first reading.
2. First reading March 29, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 1, to add section 4, and to amend the title of an act entitled "An act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, and for the appointment of commissioners therefor," approved February 10, 1887, and to add the emergency clause to said act as section 4.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 1 of an act entitled "An act to
3 appropriate fifty thousand dollars (\$50,000) to erect a monument to John
4 A. Logan and for the appointment of commissioners therefor," approved
5 February 10, 1887, be and the same is hereby amended so as to read as
6 follows:

7 "Section 1. *Be it enacted by the People of the State of Illinois, represented*
8 *in the General Assembly.* That Henry W. Blodgett, William C. Goudy,
9 Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill,
10 William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker,
11 William S. Morris and George W. Smith, be and they are hereby consti-
12 tuted commissioners to erect a monument in honor of John A. Logan,
13 deceased, at such point in the city of Chicago, or elsewhere in the State
14 of Illinois, as may be selected by his widow, and they are hereby author-
15 ized and empowered to receive proposals and to contract for the comple-
16 tion of such monument, and to receive subscriptions therefor: *Provided,*

17 that such commissioners shall not obligate the State of Illinois to exceed
 18 the sum named in section three of this act: *And provided further, that*
 19 *if the place selected by the widow of said John A. Logan for the site of*
 20 *such monument shall be located in or upon any public park or boulevard*
 22 *under the government and control of any board of park commissioners,*
 23 *such board of park commissioners shall be and they are hereby author-*
 24 *ized, empowered and directed to allow such monument to be placed upon*
 25 *the site so selected by said widow, and to provide that such monument*
 26 *shall be made the permanent resting place of the remains of said John*
 27 *A. Logan, and of his said widow after her death."*

§ 2. That said act named in the caption hereto be and the same is
 2 hereby further amended by adding the emergency clause thereto as section
 3 4, so as to read as follows:

4 "Section 4. Whereas an emergency exists, this act shall take effect and
 5 be in force from and after its passage."

§ 3. That the title of said act be so amended as to read as follows:
 2 "An Act to appropriate Fifty Thousand Dollars (\$50,000) to erect a mon-
 3 ument to John A. Logan, for the appointment of Commissioners therefor,
 4 and to provide for the location of the same in or upon a public park or
 5 boulevard under the government and control of a board of park commissioners,
 6 and to provide for making the same the permanent resting place of the
 7 said John A. Logan and of his widow after her decease."

§ 4. Whereas an emergency exists, this act shall take effect and be in
 2 force from and after its passage.

1. Introduced by Mr. Hogan, March 29, 1887, and ordered to first reading.
2. First reading March 29, 1887, and referred to Committee on Judiciary.
3. Reported back March 30, passage recommended, and ordered to second reading.

A BILL

For An Act to amend "An act to provide for releasing sureties on the bonds of guardians, conservators of idiots or insane persons, or trustees of any fund or property appointed by any court," approved May 11, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section one of an act entitled "An act to pro-
3 vide for releasing sureties on the bonds of guardians, conservators of idiots or
4 insane persons, or trustees of any fund or property appointed by any court,"
5 approved May 11, 1877, be amended so as to read as follows:

6 "Section 1. Whenever any surety on the bond of any guardian, con-
7 servator of any idiot or insane person, or any surety of the trustee of any
8 fund or property appointed by any court, or by the judge of any court during
9 any term or in vacation, or the heir, executor, or administrator of such surety,
10 desires to be released from further liability upon any such bond, he may peti-
11 tion the court in which such bond is filed, or the circuit court of the county
12 where said guardian, conservator or trustee may reside, for that purpose; and
13 upon notice being given to such guardian, conservator, or trustee in such
14 manner as the court may direct, the court shall compel such guardian, con-
15 servator, or trustee, within a reasonable time to be fixed by the court, to
16 appear and settle his accounts, and file in such court a new bond with such
17 penalty and security as may be approved by the court, which being done, the

18 surety upon the bond of such guardian, conservator, or trustee shall be dis-
19 charged from all liability on such bond.

20 "Section 2. That the title to said act be amended so as to read as
21 follows:

22 "An act to provide for releasing sureties on the bonds of guardians, con-
23 servators of idiots or insane persons, or trustees of any fund or property
24 appointed by any court, or the judge of any court."

1. Introduced by Mr. Bell, March 30, 1887, and ordered to first reading.
2. First reading March 30, 1887, and referred to Committee on Judiciary.
3. Reported back April 14, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) of "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms, approved and in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section one (1) of "An act to authorize cities,*
3 *incorporated towns and townships to establish and maintain free public libraries*
4 *and reading rooms," approved and in force March 7, 1872, be amended so that the*
5 *same shall read as follows:*
6 *"Section 1. Be it enacted by the People of the State of Illinois, represented*
7 *in the General Assembly, That the city council of each incorporated city,*
8 *shall have the power to establish and maintain a public library and reading*
9 *room for the use and benefit of the inhabitants of such city, and may levy a*
10 *tax of not to exceed two mills on the dollar annually, on all the taxable*
11 *property in the city; such tax to be levied and collected in like manner with*
12 *the general taxes of said city, and to be known as the 'library fund': Pro-*
13 *vided, that in cities of over one hundred thousand inhabitants such tax shall*
14 *not exceed one-half of a mill on a dollar annually; and the said annual library*
15 *taxes in cities of over one hundred thousand inhabitants, shall not be included*
16 *in the aggregate amount of taxes as limited by section one (1) of article eight*
17 *(8) of 'An act for the incorporation of cities and villages,' approved April 10,*
18 *1872, and the amendatory acts thereto."*

1. Introduced by Mr. Garrity, March 30, 1887, and ordered to first reading.
2. First reading March 30, 1887, and referred to Committee on License and Miscellany.
3. Reported back April 29, 1887, with recommendation to lie on the table.
4. Taken from the table May 24, 1887, and ordered to second reading.

A BILL

For An Act for the better preservation of the Public Health.

SECTION 1. *Be it enacted by the People of the State of Illinois, represent-*

2 *in the General Assembly,* That no person, firm, company or corporation shall
3 sell, offer, keep or expose for sale, or direct or permit its agents, employes or
4 servants, or any of them, to sell, offer or expose for sale in his or its behalf
5 any baking powder, yeast powder or bread preparation that contains alum, or
6 is mixed with alum or other preparation or compound made wholly or partly
7 from alum, as one of its ingredients. The terms baking powder, yeast powder
8 and bread preparation, shall, for the purposes of this act, include and mean
9 all articles so called, and all articles, substances, preparations, mixtures or
10 compounds of whatsoever name or description that are used, made or
11 intended, or where accompanying labels or directions indicate that they are
12 made or intended to be used aerating, leavening, raising or lightening bread,
13 cake, pastry or other articles of human food.

§ 2. A violation of any of the provisions of the foregoing section is hereby
2 made a misdemeanor, and any person violating any of said provisions shall
3 be prosecuted, and on conviction punished by fine or imprisonment, or both,
4 in the discretion of the court: *Provided*, that for a first offense the fine
5 shall not exceed \$500, nor the imprisonment one year: *And, provided, further*,
6 that for a subsequent offense the fine shall not be less than \$100 nor more

8 than \$2,000, and the imprisonment not less than one year nor more than
9 three years.

§ 3. The State's Attorneys of this State are charged with the enforcement
2 of this act, and it is hereby made their duty to appear for the people and to
3 attend to the prosecution of all complaints under this act in their respective
4 counties, in the courts.

1. Introduced by Mr. Pearson, March 30, 1887, and ordered to first reading.
2. First reading, March 30, 1887, and referred to committee on Penal and Reformatory Institutions.
3. Reported back, April 28, 1887, passage recommended, and referred to Committee on Appropriations.
4. Reported back, May 6, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act authorizing the Commissioners of the Illinois State Penitentiary at Joliet, to purchase land for the use of the said penitentiary, and to make appropriations therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the Commissioners of the Illinois State Peni-
3 tentiary at Joliet, be and they are hereby authorized to purchase for the
4 use of said penitentiary the following described tracts of land adjoining
5 the grounds of said penitentiary, to-wit: The south east quarter of the
6 north east quarter of section three (3), township thirty-five (35), north of
7 range ten (10), east of the third principal meridian, containing forty (40) acres
8 more or less, with all the improvements and appurtenances thereto be-
9 longing; also, one (1) acre more or less, in the south west corner of lot
10 three (3), assessor's subdivision of section three (3), township thirty-five
11 (35), north of range ten (10) east of the third principal meridian, described
12 as follows: Commencing at a point in the middle of the high-way, being
13 the south west corner of said lot three (3), thence north along middle of
14 said high-way two hundred and three (203) feet, thence east thirteen (13)
15 rods, thence south two hundred and three (203) feet, thence west thirteen
16 (13) rods to place of beginning—both of said tracts or lots of land being
17 situated in the county of Will, State of Illinois.

§ 2. The sum of eight thousand (\$8,000) dollars, or so much thereof as
2 may be necessary, is hereby appropriated for the purchase of the real es-
3 tate described in this act, and for no other purpose.

§ 3. The Commissioners of the Illinois State Penitentiary at Joliet, shall
2 present to the Governor the abstracts of title and all other papers nec-
3 essary to show that the present owner or owners of said lands can make
4 good and valid title to the same, and upon his certifying his approval of
5 said purchase, said Commissioners are authorized to make requisition upon
6 the Auditor, who shall draw his warrant upon the Treasurer of State for
7 the amount necessary to pay for the said real estate, not to exceed the
8 amount appropriated by this act.

1. Introduced by Committee on Judiciary March 30, 1887, and ordered to first reading.
2. First reading March 30, 1887, and ordered to second reading without reference.

A BILL

For An Act to authorize the judges of the circuit courts to appoint short hand reporters for the taking and preservation of evidence and to provide for their compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the judges of the circuits courts in each judicial circuit in this State, or a majority of them, be and they are hereby authorized to appoint a short hand reporter for their respective circuits in counties containing less than 300,000 inhabitants, whose duty shall be as hereinafter specified. The reporter so appointed shall hold his position during the pleasure of the judges appointing him; not, however, to extend beyond the time the judges making such appointment shall be elected for. *Provided, however,* that in case of the absence or disability of the reporter so appointed the presiding judge may appoint any other reporter to act in his place during such absence or disability.

2. The said reporter shall cause full phonographic notes of the evidence in all trials in the court for which he is so appointed to be taken down, and one transcript of the same, if desired by either party to the suit or by their attorney, or by the judge of the court, to be forthwith correctly made and furnished to the party as desiring it. The compensation of the reporter for taking such phonographic notes shall be fixed by the judges appointing him at any sum not exceeding five dollars per day. The presiding judge of the court

8 shall furnish to said reporter at the close of each term of court a certificate
9 showing the amount per diem due him, and upon presentation to the county
10 treasurer of such county he shall pay the same out of any funds of such county
11 in his hands. Said reporters shall be allowed to charge not to exceed fifteen
12 cents per one hundred words for making transcripts of said short hand notes,
13 to be paid in the first instance by the party on whose behalf such transcript
14 is ordered, and allowed and taxed as costs in the suit and the transcript when
15 so paid for by the party ordering it and the charges for the same is taxed as
16 costs, the same shall be filed and remain with the papers in the case. *Provided,*
17 *however,* that when the judge trying the cause shall, of his own motion, order
18 a transcript of said short hand notes as heretofore provided, he may direct
19 the payment of the charges therefor and the taxation of the same as costs in
20 such manner as to him may seem just: *Provided, always,* that the charges
21 for making but one transcript shall be taxed as costs, the party first ordering
22 the transcript shall have the preference, unless it shall be otherwise ordered
23 by the court.

§ 3. Said reporter shall, before entering upon the duties of his office, take
2 and subscribe the official oath to faithfully discharge the duties of his office to
3 the best of his knowledge and ability.

1. Introduced by Mr. Eckhart, March 30, 1887, and ordered to first reading.
2. First reading March 30, 1887, and referred to Committee on Municipalities.
3. Reported back April 22, 1887, passage recommended, and ordered to second reading.

A BILL

For "An Act to provide for the incorporation, management and regulation of pawnners' societies, and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges in certain cases."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That corporations may be formed in the manner*
3 *provided in this act for the purpose of transacting the business of making*
4 *advances on pawns and pledges.*

§ 2. Whenever any number of persons, not less than three nor more than
2 seven, shall propose to form a corporation under this act they shall make a
3 statement to that effect, under their hands, and duly acknowledge the same
4 before some officer, in the manner provided for the acknowledgment of deeds.
5 setting forth the name of the proposed corporation, the object for which it is
6 to be formed and the amount of its capital stock, which shall not be less
7 than twenty-five thousand dollars and not exceed one million dollars, the
8 number of shares of which such stock shall consist, the location of the prin-
9 cipal office and the duration of the corporation, not exceeding, however,
10 ninety-nine years, which statement shall be filed in the office of the Secretary
11 of State. The Secretary of State shall thereupon issue to such persons a
12 license as commissioners to open books for subscription to the capital stock

19 of said corporation at such times and places as they may determine, but no
14 license shall be issued to two corporations under the same name.

§ 3. As soon as may be after the capital stock shall have been subscribed,
2 the Commissioners shall convene a meeting of the subscribers for the
3 purpose of electing directors, and the transaction of such other business as
4 shall come before them. Notice thereof shall be given by depositing in
5 the post office properly addressed to each subscriber at least ten days
6 before the time fixed, a written or printed notice stating the object, time
7 and place of such meeting. In all elections for directors of corporations
8 organized under this act, every subscriber or stockholder shall have the
9 right to vote in person or by proxy for the number of shares owned or
10 subscribed by him for as many persons as there are directors to be elected
11 or to cumulate such shares and give one candidate as many votes as the
12 number of directors multiplied by the number of his shares of stock shall
13 equal, or to distribute them on the same principle among as many candidates
14 as he shall think fit, and such directors shall not be elected in any other
15 manner. The Governor shall annually appoint one director in each corporation
16 organized under this act, and the mayor of any city in which said corporation
17 shall have its principal office shall annually appoint one director in each cor-
18 poration so located, in addition to the directors elected by the stockholders,
19 which said directors so appointed as aforesaid shall respectively hold their
20 office for one year from the date of their appointment respectively and until
21 their successors are appointed. It shall be lawful for any such corporation
22 by resolution of the stockholders to divide its directors so elected as aforesaid
23 into three classes, numbered consecutively, the term of office of the first class
24 to expire on the day of the annual election of said corporation then next
25 ensuing; the second class one year thereafter and the third class two years
26 thereafter. At each annual election after such classification the stockholders
27 of such corporation shall elect for a term of three years a number of
28 directors equal to the number in the class whose term expires on the day of
29 such election. All vacancies shall be filled in accordance with the by-laws of
30 the corporation.

§ 4. The Commissioners shall make a full report of their proceedings including therein a copy of the notice provided for in the foregoing section, a copy of the subscription list and the names of the directors elected, and their respective terms of office, which report shall be sworn to by at least a majority of the Commissioners, and shall be filed in the office of the Secretary of State. The Secretary of State shall thereupon issue a certificate of the complete organization of the corporation, making a part thereof a copy of all papers filed in his office in and about the organization of the corporation and duly authenticated under his hand and seal of State, and the same shall be recorded in a book for that purpose in the office of the recorder of deeds of the county where the principal office of such corporation is located. Upon the recording of the said copy and the payment by the subscribers to the capital stock of their respective subscriptions to said stock, the corporation shall be deemed fully organized and may proceed to business. Unless such corporation shall be organized and shall proceed to business as provided in this act, within two years after the date of such license, then such license shall be deemed revoked and all proceedings thereunder void.

§ 5. Any corporation formed under this act with a capital stock of less than one million dollars may at any time during the existence of said corporation increase its capital stock in the manner prescribed by its own rules or by-laws, but no such change shall be of legal effect until a certificate thereof under seal of such corporation shall be filed in the office of the Secretary of State and recorded in the office of the recorder of deeds in which the original certificate was recorded: *Provided*, that the total capital stock of such corporation when so increased shall not exceed in amount said sum of one million dollars.

§ 6. Corporations formed under this act shall be bodies corporate and politic for the period for which they are organized, and they shall be subject to the duties and possess the following powers, that is to say, they may sue and be sued, and may have a common seal which they may alter or renew

5 at pleasure, may own, possess and enjoy so much real and personal estate
6 as shall be necessary for the transaction of their business, and may sell
7 and dispose of the same when not required for the uses of the corporation,
8 and may declare dividends upon the stock from the earnings and income
9 of such corporation, and may advance money upon goods, chattels and
10 savings bank deposit books pledged and deposited with said corporation to
11 secure the payment respectively of said advances.

§ 7. Said corporation may have and maintain in the city in which it
2 shall have its principal office one or more branch offices or places of
3 business for the transaction of its business.

§ 8. When the corporation has disposable funds it shall make advances
2 on all goods and chattels and savings bank deposit books offered, embraced
3 within its rules and regulations, in the order in which they are offered,
4 with this exception, that the corporation may always discriminate in favor
5 of small advances to the indigent. It may advance up to three-fourths of
6 the appraised value on gold and silver plate and ware and savings bank
7 deposit books, and two-thirds of such value on all other goods and chattels
8 as aforesaid.

§ 9. The government of the corporation and management of its affairs
2 shall be in seven directors, five of whom shall be chosen annually by the
3 stockholders in the manner hereinbefore provided, together with one to be
4 appointed by the Governor of the State, and one to be appointed by the
5 mayor of the city in which said corporation shall have its principal office,
6 (if located in a city), and the board thus created shall elect one of their
7 number president and such other officers as may be deemed necessary.
8 Said board shall from time to time appoint and always keep in their
9 employment one or more appraisers, whose duty it shall be to appraise and
10 value all goods, chattels and savings bank deposit books presented and
11 offered by any proposed pawner or pledger, and every such appraiser,
12 before entering upon the duties of his employment, shall be sworn to fairly
13 and impartially appraise and value all such goods, chattels and savings
14 bank deposit books.

§ 10. All advances made by any corporation organized under this act shall be for a time fixed and agreed between the parties which shall not be longer than one year, and the pawner or pledger shall have the right to redeem his property pledged at any time within the period so fixed and agreed on paying the proportionate rate of compensation up to the time of the offer to redeem. The compensation to be charged by such corporation to any pawner or pledger desiring to redeem or repossess his pawn or pledge may be equal to, but shall not exceed the rate of two per cent. per month upon the money advanced upon such pawn or pledge in addition to a charge not exceeding one-half of one per cent. per month for storage and insurance.

§ 11. If in any case such corporation shall, as a condition of redemption, charge to the pledger or pawner applying to redeem on or before the day fixed for the redemption of the pawn or pledge, any sum in excess of the amount herein authorized to be charged, such corporation shall thereby forfeit all claim to and lien upon such pawn or pledge, and shall deliver such pawn or pledge on demand to such pawner or pledger, his legal representatives or assigns, and in default of so doing, such pawner or pledger, or his legal representatives or assigns may recover the possession of such pawn or pledge by action of replevin, or, at his election, may recover from such corporation the value of such pawn or pledge in an action therefor.

§ 12. If the property pledged is not redeemed within the time fixed and agreed, the same shall be sold at public auction without redemption, under the direction of said corporation to the highest bidder for cash, at which sale such corporation may be a bidder and a purchaser, and the net surplus of the proceeds of such sale, after paying the costs of the sale, the amount of advances and the agreed amount for compensation, storage and insurance aforesaid, shall be paid to the pawner or pledger, his legal representatives or assigns on demand at any time within one year after such sale. The times, places and notices of such sales shall be regulated by the by-laws of the corporation. In case, however, the savings bank deposit book pledged to the corporation shall not be redeemed within the time fixed and agreed therefor, it shall not be necessary for the corporation to sell the same at

18 public auction, but said corporation may convert the same, or so much
14 thereof as may be necessary to pay the advances and the agreed rate for
15 compensation, storage and insurance as aforesaid, in such mode and at such
16 time as in the judgment of the directors will best secure the interest of all
17 parties, holding the net surplus for one year as above for the pawner or
18 pledger, his legal representatives or assigns.

§ 13. If the pawner or pledger, his legal representatives or assigns, shall
2 not, within one year after such sale, or after such disposition of such savings
3 bank deposit book, make demand of said corporation for the payment of any
4 such net surplus as aforesaid, then and thenceforth his right to and interest
5 in said surplus shall cease and be extinguished, and said corporation shall
6 hold such surplus in trust as follows: Once in each year, at a date to be
7 fixed by the by-laws of such corporation, the said corporation shall pay over
8 to one or more (according as the directors may determine) of the incorporated
9 orphan asylums, half-orphan asylums, or other incorporated institutions for
10 the care of children, existing in the county in which the principal office of the
11 corporation is situated, to be used for the benefit of such institution or in-
12 stitutions, the aggregate amount of all the net surpluses that shall then have
13 remained uncalled for for more than one year after such sales or such dis-
14 position of savings bank deposit books as aforesaid. But, if there be no such
15 incorporated institution in such county, then such aggregate amount of such
16 net surpluses shall be paid to the county treasurer of such county for the use
17 of such county.

§ 14. Corporations organized under this act shall give to each pawner or
2 pledger a card inscribed with the name of the company, the article or articles
3 pawned, the name of the pawner or pledger, the amount of the advances,
4 the rate of compensation on storage and insurance to be paid therefor on
5 redemption, the date when made, the date when the time of redemption
6 expires, and the page of the book where recorded.

§ 15. The president and directors of every corporation organized under
2 this act shall annually, in the month of October, report to the Governor of

3 the State, full and accurate statistics of the operations and condition of such
4 corporation for the year expiring on September 30, in the same year.

§ 16. The stockholders of corporations organized under this act may estab-
2 lish such by-laws, rules and regulations for conducting the business of such
3 corporations as they may deem necessary, not inconsistent with this act or
4 the constitution or laws of this State.

§ 17. The stock of such corporations shall be transferable only at the
2 principal office of such corporations and on their books.

§ 18. The number of directors of corporations organized under this act
2 shall not be increased or diminished, or their term of office changed without
3 the consent of the owners of a majority of the shares of stock. The direct-
4 ors may require of the officers, managers and agents, bonds, with such sure-
5 ties and conditions as they shall deem proper, and may remove any officer,
6 manager or agent when, in their judgment, the interests of the corporation
7 shall require it. The officers shall hold their respective offices for the period
8 provided by the by-laws.

§ 19. No corporation organized under this act shall have any banking
2 powers, whether of issue, deposit or discount, and no right of action shall
3 exist in favor of such corporation against any pledger or pawner aforesaid, for
4 the recovery of any moneys so advanced, and no obligation shall be incurred
5 by such pawner or pledger for the payment of such advance to him as afore-
6 said, and the only recourse that shall be had by such corporation for the
7 reimbursement of its advances, compensation, insurance and storage aforesaid,
8 shall be the sale of the property pawned or pledged, and the application of
9 the proceeds of such sale in the manner hereinbefore provided.

§ 20. All provisions of the existing laws relating to corporations which are
2 not inconsistent with the provisions of this act, and which are in their nature
3 applicable to corporations organized under this act, shall apply to corporations
4 so organized.



1. Introduced by Mr. Curtiss, March 31, 1887, and ordered to first reading.
2. First reading March 31, 1887, and referred to Committee on Judicial Department.
3. Reported back April 22, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act relating to the receipt, shipment, transportation and weighing of grain in bulk by railroad companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in all counties of the third class, and in all cities having not less than 20,000 inhabitants, where bulk grain, millstuffs or seeds are delivered by any railroad transporting the same from initial points to another road for transportation to other points, such road or roads receiving the same for transportation to said points or other connections leading thereto, shall provide suitable appliances for unloading, weighing and transferring such property from one car to another without mixing, or in any way changing the identity of the property so transferred, and such property shall be accurately weighed, in suitable covered hopper scales, which will determine the actual net weight of the entire contents of any car load of grain, millstuffs or seeds at a single draft, without gross or tare, and which weights shall always be given in the receipts or bills of lading, and used as a basis of any freight contracts affecting such shipments between such railroad companies and the owner, agents or shippers of such grain, millstuffs or seeds so transported and transferred.

§ 2. The practice of loading grain, millstuffs or seeds, into foreign or connecting line cars, at the initial point from which the grain, millstuffs or seeds

3 are originally shipped, or the running of the original car through without
 4 transfer, shall not relieve the railroad making the contract to transport the
 5 same to its destination or connections leading thereto, from weighing and
 6 transferring such property in the manner aforesaid, unless the shipper, owner,
 7 or agent of such grain, millstuffs or seeds shall otherwise order or direct

§ 3. Any railroad company neglecting or refusing to comply promptly with
 2 any and all of the requirements of either sections 1 or 2 of this act, shall be
 3 liable in damages to the party interested, to be recovered by the party damaged
 4 in an action of assumpsit, and such party may proceed by mandamus against any
 5 railroad company so refusing or neglecting to comply with the requirements
 6 of this act; and if the shipper, owner or agent of any such grain, millstuffs
 7 or seeds shall fail or neglect to proceed by mandamus, it shall then be the
 8 duty of the railroad and warehouse commissioners, of this State, upon com-
 9 plaint of the party or parties interested, to proceed against the railroad failing
 10 or refusing to comply with the provisions of this act; and all the powers
 11 heretofore conferred by law upon the Board of Railroad and Warehouse Com-
 12 missioners of this State, shall be applicable in the conduct of any legal pro-
 13 ceeding commenced by such Commissioners under this act.

§ 4. Any railroad company so refusing or neglecting as aforesaid, shall be
 2 liable to a penalty of not less than \$100, nor more than \$500, for each
 3 neglect or refusal as aforesaid, to be recovered in an action of assumpsit in
 4 the name of the people of the State of Illinois, for the use of the county in
 5 which such act or acts of neglect or refusal shall occur; and it shall be the
 6 duty of the railroad and warehouse commissioners to cause prosecutions for
 7 such penalties to be instituted and prosecuted.

1. Introduced by Mr. Curtiss, March 31, 1887, and ordered to first reading.
2. First reading, March 31, 1887, and referred to committee on Judicial Department.
3. Reported back, April 22, 1887, passage recommended, and ordered to second reading.
4. Second reading, May 10, 1887, amended and ordered to a third reading.

A BILL

For An Act relating to the receipt, shipment, transportation and weighing of grain in bulk by railroad companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in all counties of the third class, and in all
3 cities having not less than 50,000 inhabitants, where bulk grain, millstuffs
4 or seeds are delivered by any railroad transporting the same from initial
5 points to another road for transportation to other points, such road or
6 roads receiving the same for transportation to said points or other connec-
7 tions leading thereto, shall provide suitable appliances for unloading, weigh-
8 ing and transferring such property from one car to another without mixing
9 or in any way changing the identity of the property so transferred, and such
10 property shall be accurately weighed in suitably-covered hopper scales, which will
11 determine the actual net weight of the entire contents of any carload of
12 grain, millstuffs or seeds at a single draft, without gross or tare, and
13 which weights shall always be given in the receipts or bills of lading and
14 used as the basis of any freight contracts affecting such shipments between
15 such railroad companies and the owners, agents or shippers of such grain,
16 millstuffs or seeds so transported and transferred.

§ 2. The practice of loading grain, millstuffs or seeds into foreign or
2 connecting-line cars at the initial point from which the grain, millstuffs or

3 seeds are originally shipped, or the running of the original car through
4 without transfer, shall not relieve the railroad making the contract to trans-
5 port the same to its destination or connections leading thereto, from weigh-
6 ing and transferring such property in the manner aforesaid, unless the
7 shipper, owner or agent of such grain, millstuffs or seeds shall otherwise
8 order or direct.

§ 3. Any railroad company neglecting or refusing to comply promptly
2 with any and all of the requirements of either sections 1 or 2 of this act,
3 shall be liable in damages to the party interested, to be recovered by the
4 party damaged in an action of assumpsit, and such party may proceed by
5 mandamus against any railroad company so refusing or neglecting to com-
6 ply with the requirements of this act; and if the shipper, owner or agent
7 of any such grain, millstuffs or seeds shall fail or neglect to proceed by
8 mandamus, it shall then be the duty of the Railroad and Warehouse
9 Commissioners of this State, upon complaint of the party or parties inter-
10 ested, to proceed against the railroad failing or refusing to comply with
11 the provisions of this act; and all the powers heretofore conferred by law
12 upon the board of Railroad and Warehouse Commissioners of this State,
14 shall be applicable in the conduct of any legal proceeding commenced by
15 such commissioners under this act.

§ 4. Any railroad company so refusing or neglecting as aforesaid, shall
2 be liable to a penalty of not less than \$100 nor more than \$500 for
3 each neglect or refusal as aforesaid, to be recovered in an action of assumpsit
4 in the name of the People of the State of Illinois for the use of the county
5 in which such act or acts of neglect or refusal shall occur, and it shall be
6 the duty of the Railroad and Warehouse Commissioners to cause prosecutions
7 for such penalties to be instituted and prosecuted.

1. Introduced by Mr. Hill, March 31, 1887, and ordered to first reading.
2. First reading March 31, 1887, and referred to Committee on Judicial Department.
3. Reported back April 1, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section eleven (11) of an act entitled "An act
3 to establish a Board of Railroad and Warehouse Commissioners, and prescribe
4 their powers and duties," approved April 13, 1871, in force July 1, 1871, be,
5 and the same is hereby so amended as to read as follows:

6 "Section 11. Said commissioners shall examine into the condition and
7 management, and all other matters concerning the business of railroads and
8 warehouses in this State, so far as the same pertain to the relation of such
9 roads and warehouses to the public, and to the accommodation and security of
10 persons doing business therewith. And said commissioners may order any
11 such railroad company or companies to increase their train service and furnish
12 ample facilities for passengers and freight, and they are hereby vested with
13 full and complete power to enforce all orders issued by them and all the pro-
14 visions of this act by suit or otherwise, when in their judgment the necessity
15 of the case demands it; and whether such railroad companies and warehouses,
16 their officers, directors, managers, lessees, agents and employes comply with
17 the laws of this State now in force, or which shall hereafter be in force

18 concerning them. And whenever it shall come to their knowledge, either
19 upon complaint or otherwise, or they shall have reason to believe that any
20 such law or laws have been or are being violated, they shall prosecute or
21 cause to be prosecuted all corporations or persons guilty of such violation.
22 In order to enable said commissioners efficiently to perform their duties under
23 this act, it is hereby made their duty to cause one of their number, at least
24 once in six months, to visit each county in the State, in which is or shall be
25 located a railroad station, and personally inquire into the management of such
26 railroad and warehouse business."

1. Introduced by Mr. Hill, March 31, 1887, and ordered to first reading.
2. First reading March 31, 1887, and referred to Committee on Judicial Department.
3. Reported back April 1, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section eleven (11) of an act entitled "An act
3 to establish a Board of Railroad and Warehouse Commissioners, and prescribe
4 their powers and duties," approved April 13, 1871, in force July 1, 1871, be,
5 and the same is hereby so amended as to read as follows:

6 "Section 11. Said commissioners shall examine into the condition and
7 management, and all other matters concerning the business of railroads and
8 warehouses in this State, so far as the same pertain to the relation of such
9 roads and warehouses to the public, and to the accommodation and security of
10 persons doing business therewith. And said commissioners may order any
11 such railroad company or companies to increase their train service and furnish
12 ample facilities for passengers and freight, and they are hereby vested with
13 full and complete power to enforce all orders issued by them and all the pro-
14 visions of this act by suit or otherwise, when in their judgment the necessity
15 of the case demands it; and whether such railroad companies and warehouses,
16 their officers, directors, managers, lessees, agents and employes comply with
17 the laws of this State now in force, or which shall hereafter be in force

18 concerning them. And whenever it shall come to their knowledge, either
19 upon complaint or otherwise, or they shall have reason to believe that any
20 such law or laws have been or are being violated, they shall prosecute or
21 cause to be prosecuted all corporations or persons guilty of such violation.
22 In order to enable said commissioners efficiently to perform their duties under
23 this act, it is hereby made their duty to cause one of their number, at least
24 once in six months, to visit each county in the State, in which is or shall be
25 located a railroad station, and personally inquire into the management of such
26 railroad and warehouse business."

1. Introduced by Mr. Hadley, April 7, 1887, and ordered to first reading.
2. First reading April 7, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, by adding thereto an additional section, to be numbered eleven and one-half (11½.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act to establish a Board of
3 Railroad and Warehouse Commissioners and prescribe their powers and duties,"
4 approved April 13, 1871, in force July 1, 1871, be amended by adding thereto an
5 additional section, to be numbered eleven and one-half (11½), as follows:
6 "Section 11½. It shall be the duty of said Board of Commissioners to
7 investigate the cause of any accident on a railroad resulting in the loss of
8 life or injury to person or persons, which in their judgment shall require
9 investigation, and the result of such investigation shall be reported upon
10 in a special report to the Governor as soon after said accident as may be
11 practicable, and also in the annual report of said commissioners. And it
12 is hereby made the duty of the general superintendent or manager of each
13 railroad in this State, to inform said board of any such accident immedi-
14 ately after its occurrence. Whenever it shall come to the knowledge o
15 said board, by complaint or otherwise, that any railroad bridge or trestle,
16 or any portion of the track of any railroad in this State is out of repair,

17 or is in an unsafe condition, it shall be the duty of such board to inves-
18 tigate, or cause an investigation to be made, of the condition of such
19 railroad bridge, trestle or track, and may employ such person or persons
20 who may be civil engineer or engineers, as they shall deem necessary for
21 the purpose of making such investigation, and whenever in the judgment
22 of said board, after such investigation, it shall become necessary to rebuild
23 such bridge, track or trestle, or repair the same, the said board shall give
24 notice and information in writing to the corporation of the improvements
25 and changes which they deem to be proper. And shall recommend to the
26 corporation or person or persons owning or operating such railroad that it,
27 or he, or they, make such repairs, changes or improvements, or rebuild
28 such bridge or bridges on such railroad as the said board shall deem
29 necessary, to the safety of persons being transported thereon. And said
30 board shall give such corporation or person or persons owning or operating
31 said railroad an opportunity for a full and fair hearing on the subject of
32 such investigation and recommendation. And said board shall, after having
33 given said corporation or person or persons operating such railroad an oppor-
34 tunity for a full hearing thereon, if such corporation or person shall no
35 satisfy said board that no action is required to be taken by it or them,
36 fix a time within which such changes or repairs shall be made, or such
37 bridges, tracks, or culverts shall be rebuilt, which time the board may extend.
38 It shall be the duty of the corporation, person or persons owning or oper-
39 ating said railroad to comply with such recommendations of said board, as
40 are just and reasonable. And the Supreme court or the circuit court in
41 any circuit, in which such railroad may be in part situated, shall have
42 power in all cases of such recommendations by said board, to compel com-
43 pliance therewith by mandamus. If any such corporation or person or per-
44 sons owning or operating any such railroad, shall, after such hearing, neglect
45 or refuse to comply with the recommendation or recommendations of said
46 Board as to making any repairs, changes or improvements, on any bridge,
47 track or trestle, or to rebuild any bridge within the time which shall be

48 fixed by said board therefor, said board shall report such neglect or refusal,
49 together with the facts in such case as said board shall find the facts to
50 be, touching the necessity for such repairs, changes or rebuilding to the
51 Attorney-General of the State of Illinois, who shall thereupon take such
52 action as may be necessary to secure compliance with such recommendations
53 of said board. In all actions or proceedings brought by the Attorney-General
54 to compel compliance with the recommendations of the board, the findings of
55 the board shall be *prima facie* evidence of the facts therein stated, and the
56 recommendations of the board shall be deemed *prima facie*, just and reason-
57 able. Nothing herein contained shall impair the legal liability of any rail-
58 road company for the consequence of its acts. And all existing remedies
59 therefor are hereby saved to the people and to individuals."



1. Introduced by Mr. Leman April 7, 1887, and ordered to first reading.
2. First reading April 7, 1887, and referred to Committee on Judicial Department.
3. Reported back June 7, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to establish a Board of Gas Commissioners, and prescribe their duties and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* There is hereby created and established in
3 and for the State of Illinois, a Board of Gas Commissioners, to consist of
4 three competent persons, who shall be appointed by the Governor and hold
5 their office until the next meeting of the General Assembly, and until their
6 successors are appointed and qualified; such appointments shall be made
7 within twenty (20) days after the passage of this act. At the next meeting
8 of the General Assembly and every two years thereafter, the Governor, by
9 and with the advice and consent of the Senate, shall appoint three persons
10 as such commissioners, who shall hold their offices for the term of two years
11 from the first day of February, in the year of their appointment, and until
12 their successors are appointed and qualified.

§ 2. No person shall be appointed as such commissioner who is at the
2 time of his appointment in any way connected with any gas-light corporation,
3 company, or manufactory, or who is directly or indirectly interested in any
4 stock, bonds, or other property of, or is in the employment of any gas-light
5 corporation, company, or manufactory; and no person appointed as such com-
6 missioner shall during his term of office become interested in any stock, bonds,

7 or other property of any gas-light corporation, company, or manufactory, or
8 in any manner be employed by or connected with any gas-light corporation,
9 company, or manufactory. The Governor shall have power to remove any
10 such commissioner at any time in his discretion.

§ 3. Before entering upon the duties of his office, each of the said com-
2 missioners shall make and subscribe and file with the Secretary of State an
3 affidavit in the following form:

4 "I do solemnly swear, (or affirm, as the case may be,) that I will support
5 the constitution of the United States and the constitution of the State of
6 Illinois, and that I will faithfully discharge the duties of the office of gas com-
7 missioner according to the best of my ability."

8 And shall enter into bonds, with security to be approved by the Governor,
9 in the sum of ten thousand dollars (\$10,000) conditioned for the faithful per-
10 formance of his duty as such commissioner.

§ 4. Each of said commissioners shall receive for his services a sum not
2 exceeding thirty-five hundred dollars per annum, payable quarterly. They
3 shall be furnished with an office, office furniture, and stationery, and all
4 appliances useful or necessary for the performance of their duties, at the
5 expense of the State, and shall have power to appoint a secretary to perform
6 such duties as they shall assign to him. Said secretary shall re-
7 ceive for his services a sum not exceeding fifteen hundred (\$1,500)
8 dollars per annum. It shall be the duty of the secretary to keep a
9 full and faithful record of the proceedings of the board, and to file
10 and preserve in its general office all books, maps, documents, and papers
11 belonging to the board. The said board of commissioners shall also have the power
12 to employ engineers, accountants, inspectors and other experts, whose services
13 they may deem to be of temporary importance in conducting any inquiry or exami-
14 nation in this act or useful for the information of the board, or necessary for the
15 protection of the health of the people. The office of the said commissioners
16 shall be kept at Springfield, and all sums authorized to be paid by this act
17 shall be paid out of the State Treasury, and only on the order of the Gover-

18 nor, provided that the total sum to be expended by said Commissioners for
19 office rent and furniture and stationery shall in no case exceed the sum of
20 \$800 per annum.

§ 5. The said commissioners and their secretary shall have the right of
2 passing in the performance of their duties on all railroad trains in the State.

§ 6. All gas-light corporations and every person or persons who may be
2 engaged in the manufacture or sale of gas, doing business in this State, and
3 every corporation which shall hereafter become incorporated or do business
4 under any general or special law of this State, shall on or before the first
5 day of September, 1887, and on the first day of March and September of
6 every year thereafter, make and transmit to the commissioners appointed by
7 virtue of this act, at their office in Springfield, a full and true statement under
8 oath, of the proper officers of said corporation, or by the person manufacturing
9 or selling said gas, of the affairs of their said corporation or manufactory, as
10 the same existed on the first day of July and January, immediately preceding
11 their respective reports, specifying and setting forth—

12 *First*—The amount of original stock of said corporation, by whom sub-
13 scribed, and in what manner it was paid for.

14 *Second*—The amount of capital stock at the time when the reports are
15 made, as above required.

16 *Third*—The names of the owners of the stock, the amount owned by each
17 of them respectively, and the residence of each stockholder.

18 *Fourth*—The amount of stock paid in, and by whom.

19 *Fifth*—The amount of its assets and liabilities.

20 *Sixth*—The name and place of residence of its officers.

21 *Seventh*—The amount of funded debt.

22 *Eighth*—The amount of floating debt.

23 *Ninth*—The quantity and quality of gas manufactured and gas consumed.

24 *Tenth*—The quantity of gas wasted or lost by leakage or otherwise.

25 *Eleventh*—The total amount of money received from sales.

26 *Twelfth*—The amount of money received from other sources.

27 *Thirteenth*—The amount of money expended for materials, and the amount
28 and nature and name of the materials used.

29 *Fourteenth*—The amount of money expended for labor, and for ordinary and
30 extraordinary repairs.

31 *Fifteenth*—The amount of money expended for laying mains and other pipes—
32 the amount as to length of pipes laid, and their respective sizes.

33 *Sixteenth*—The amount of money expended for other improvements.

34 *Seventeenth*—The estimated value of the plant or plants where the gas is
35 manufactured.

36 *Eighteenth*—The estimated value of the pipes laid in streets.

37 *Nineteenth*—The number of miles of pipe laid and the size of the pipe so
38 laid.

39 *Twentieth*—The estimated value of the franchise, and the nature and extent
40 of the franchise.

41 *Twenty-first*—The estimated cost of laying mains and other pipes per hun-
42 dred feet at the time of making the report, stating the size of pipe, and depth
43 in ground.

44 *Twenty-second*—The amount expended since last report, for the purchase of
45 real or personal property, stating whether the same is of a permanent nature
46 or not, including tools, machinery, and things of that character.

47 *Twenty-third*—All moneys expended since last report for dividends, interest,
48 or for any other purpose.

49 *Twenty-fourth*—The amount charged for gas to consumers per thousand
50 feet during the last three years, giving each year separately.

§ 7. The said commissioners shall have the power to make and propound
2 to said gaslight companies or manufacturers such further questions as they
3 may deem necessary for the public good, which shall be answered by said
4 companies or manufacturers in the same manner as those specified in the
5 previous section. The said commissioners shall also have the power to compel
6 the production in the city, town, village or county where kept, or elsewhere,

7 if necessary, all books, maps and papers of the respective corporations or man-
8 ufacturers, by subpoena *duces tecum*.

§ 8. Said commissioners and the persons employed by them, shall, in the
2 discharge of their official duties have free access at all reasonable times to all
3 books, accounts, maps, documents, records and paper writings of any and
4 every nature whatsoever, belonging to or in use in the ordinary transactions
5 of business by said gas companies or gas manufactories, and they shall also
6 have the power to examine under oath or affirmation any or all directors,
7 officers, managers, agents and employes of any such gaslight corporation or
8 manufactory, concerning any matter relating to the business, manufacturing,
9 condition and management of such business.

§ 9. The gas that shall be furnished by corporations or person or persons
2 manufacturing and supplying gas shall have an illuminating power at a dis-
3 tance of not less than one mile from the place of manufacture by such photo-
4 metrical tests as shall be approved by said board, with a burner to be desig-
5 nated by said board, consuming at the rate of five cubic feet of gas per hour,
6 shall give a light, if water-gas, of 25, and if of coal gas, of 18 sperm candles
7 of 6 to the pound and burning at the rate of 120 gr. of spermaceti per hour,
8 and as regards purity such gas shall be free within limits not injurious to
9 public health, from sulphuretted hydrogen, and shall not contain more than 5
10 grains of ammonia or 20 grains of sulphur to every 100 feet of gas sent out,
11 and in other respects said gas shall conform to such further standard of purity
12 and quality as shall hereafter be fixed by the said board, after notice to the
13 corporation affected.

§ 10. The gas companies or manufacturers of gas affected by this act shall
2 provide the most approved appliances for correctly ascertaining the amount of
3 gas supplied to consumers at the place of consumption; and they shall also
4 provide the most approved appliances for preventing the waste of gas and for
5 properly testing its quality, purity, illuminating power and pressure, as said
6 board shall from time to time direct. Such tests and appliances and the

7 manner of making such tests and recording the same, shall be as directed and
8 approved of by said board.

§ 11. Every gaslight company, corporation or manufacturer shall furnish
2 gas to all its or his consumers at a reasonable rate per thousand cubic feet;
3 such rate shall not exceed the maximum price, to be semi-annually desig-
4 nated by said board for each locality. The board shall have due regard in
5 fixing the price for each locality to all the provisions of this act, to the then
6 existing cost of material and labor, the actual cost of the plant or plants, the
7 wear and tear upon such plant or plants; and no person, persons, or corpo-
8 ration shall be required or be compelled to pay any bill or bills for gas in
9 excess of the rate so fixed by the board for each locality respectively.

§ 12. No member, agent, or employe of said board shall directly or
2 indirectly solicit or request from or recommend to any gas corpora-
3 tion or manufacturer or any officer, attorney, or agent thereof, the appointment
4 of any person or persons to any place or position; nor shall any gas corpora-
5 tion or manufacturer, its attorney, officer, or agent, offer any place, appoint-
6 ment, or position, or other consideration, to said commissioners or either of
7 them, or to any Secretary, expert, or employe of said commissioners whatso-
8 ever; neither shall said commissioners nor their secretary, clerks, employes,
9 agents or experts, accept, receive, or request any loan, gift, or gratuity of any
10 kind whatsoever from any corporation or manufacturer affected by this act,
11 or any officer or agent thereof; and the request or acceptance from them or
12 either or any of them of any such place or position, loan or gift or gratuity
13 shall work forfeiture of the office of such commissioner or subordinate who
14 shall be guilty thereof; and any violation of this section or any part thereof
15 shall be deemed a misdemeanor and punishable as such.

§ 19. The said board shall hear and determine all complaints which may
2 be made by any consumer or the local authorities of any city, town, or vil-
3 lage of the quality of the gas manufactured and sold by the corporation, asso-
4 ciation, or manufacturer in their respective localities. Before hearing such
5 complaints said board shall give due notice to the corporation, company, or

6 manufacturer complained of, and shall at the time designated by said board
7 hear one or both parties and thereafter make such order and take such action
8 as in their judgment may seem necessary, giving to both parties notice of
9 said order and proposed action. The refusal on the part of the officers
10 or directors of any corporation or by the persons or person manufacturing gas, if
11 not incorporated, to obey the order of said commissioners made in pursuance
12 of law, shall be deemed to be a misdemeanor punishable by fine or imprison-
13 ment or both, at the discretion of the court having jurisdiction. In case of
14 such refusal, it shall be the duty of the board to present the facts to the
15 Attorney General or to the States Attorney in the circuit or county where
16 the said corporation or manufactory may be situated, who may take such
17 proceedings as to the forfeiture of stock or otherwise, as may be necessary to
18 enforce compliance with the said orders of said commissioners. Like proceed-
19 ings may also be had when the said commissioners voluntarily and without
20 complaint having first been made, make tests of the quality of the gas furnished
21 by the gas companies or manufactories mentioned in this act.

§ 20. Said commissioners shall on or before the first day of December,
2 in each year, and oftener, if required by the Governor to do so, make a
3 report to the Governor of their doings, containing such facts, statements,
4 acts and explanations as will thoroughly disclose the actual workings and
5 operations of gas-light companies and manufactories in this State; and
6 shall also make such suggestions as to the general conduct of said busi-
7 ness, in connection with the duties of said companies, the rights of con-
8 sumers, and the general public interest concerning the same, or amend-
9 ment of laws, or as to the general condition of the affairs or conduct of
10 gas-light corporations or manufacturers, as may seem to the board ex-
11 pedient. They shall also at such times as the Governor shall direct exam-
12 ine any particular subject connected with the manufacture and sale of gas
13 and laying pipes, and report in writing their opinion thereon with their
14 reasons therefor.

1 § 21. In making any examination, as contemplated in this act, or for the
2 purpose of obtaining information pursuant to this act, said commissioners
3 shall have the power to issue subpoenas for the attendance of witnesses, and
4 may administer oaths. In case any person shall wilfully fail or refuse to obey
5 such subpoena, it shall be the duty of the circuit court of any county upon
6 application of the said commissioners, to issue an attachment for such
7 witness, and compel such witness to attend before the commissioners, and give
8 his testimony upon such matters as shall be lawfully required by such com-
9 missioners; and the said court shall have the power to punish for contempt
10 as in other cases of refusal to obey the process. In case any person or
11 corporation or manufacturer shall refuse to produce any books, papers, or
12 documents, called for by said commissioners, by his *subpoena duces tecum*, as
13 hereinbefore set forth in this act, the same proceeding shall be had as herein-
14 before stated.

1 § 22. Any persons who wilfully neglect or refuse to obey the process of
2 subpoena issued by said commissioners, and appear and testify therein as re-
3 quired, or refuse to produce any paper, book, document, set forth in any
4 *subpoena duces tecum* issued by said commissioners, shall be deemed guilty
5 of a misdemeanor and shall be liable to indictment in any court of competent
6 jurisdiction, and on conviction thereof shall be punished for each offense by
7 a fine of not less than twenty-five (\$25) dollars nor more than five hundred
8 (\$500) dollars, or by imprisonment of not more than sixty (60) days, or both,
9 in the discretion of the court before which said conviction shall be had.

1 § 23. Every gas company or manufacturer and every officer, agent or em-
2 ployee of any gas company or manufacturer who shall wilfully neglect to
3 make and furnish any report required in this act by the time herein required,
4 or who shall wilfully hinder or delay or obstruct such commissioners in the
5 discharge of the duties hereby imposed upon them, shall forfeit and pay a sum
6 of not less than one hundred (\$100) dollars nor more than five hundred (\$500)
7 dollars for each offense recovered in an action of debt in the name and for
8 the use of the people of the State of Illinois, one-half of which amount so

9 recovered shall be paid to the State Treasurer, and one-half to the county treasu-
10 rer in the county where such action may be brought; and every gas com-
11 pany or manufacturer, and every officer, agent and employe thereof shall be
12 liable to a like penalty for every period of ten days it or he shall wilfully neglect
13 or refuse to make such report.

§ 24. It shall be the duty of the Attorney General and the State's Attor-
2 ney in every circuit or county, on the request of such commissioners to insti-
3 tute and prosecute any and all suits and proceedings which they or either of
4 them shall be directed by said commissioners to institute and prosecute for
5 a violation of this act.

§ 25. The State's Attorney shall be entitled to receive for his compen-
2 sation on bills to be approved by the Governor a sum not exceeding ten
3 (10) per cent. of the amount recovered, which shall be deducted from the
4 amount to be paid to the said State's Treasurer or County Treasurer as
5 herein before set forth, provided this act shall not be construed so as to
6 prevent any person from prosecuting *qui tam* action as authorized by law
7 and of receiving such part of the amount recovered in such action as is
8 or may be provided under any law of this State.

AMENDMENTS TO SENATE BILL No. 371.

Amend section 4, lines 2 and 3, by striking out the words and figures
2 "thirty-five hundred dollars (\$3,500)," and insert in lieu thereof "two thous-
3 and dollars (\$2,000)."

4 Amend by striking out section 5.

5 Amend by adding to the bill, after the last section thereof, the following:

6 "Section 26. No person or corporation shall dig up or open the streets,
7 lanes, parks and highways of cities or towns in this State for the pur-
8 pose of laying, repairing or changing gas pipes therein, without the con-
9 sent of the mayor and aldermen or trustees, or other proper authorities of

10 such city or town, after a public hearing, before such mayor and aldermen,
11 trustees or other proper authorities, and at least ten days' notice to all
12 parties interested, by publication or otherwise, as shall be provided by said
13 commissioners.

14 "Section 27. The annual expenses of the commissioners, including salaries,
15 shall be borne by the several manufacturers of gas in this State, in propor-
16 tion to their gross earnings, and shall be assessed and collected by said com-
17 missioners."

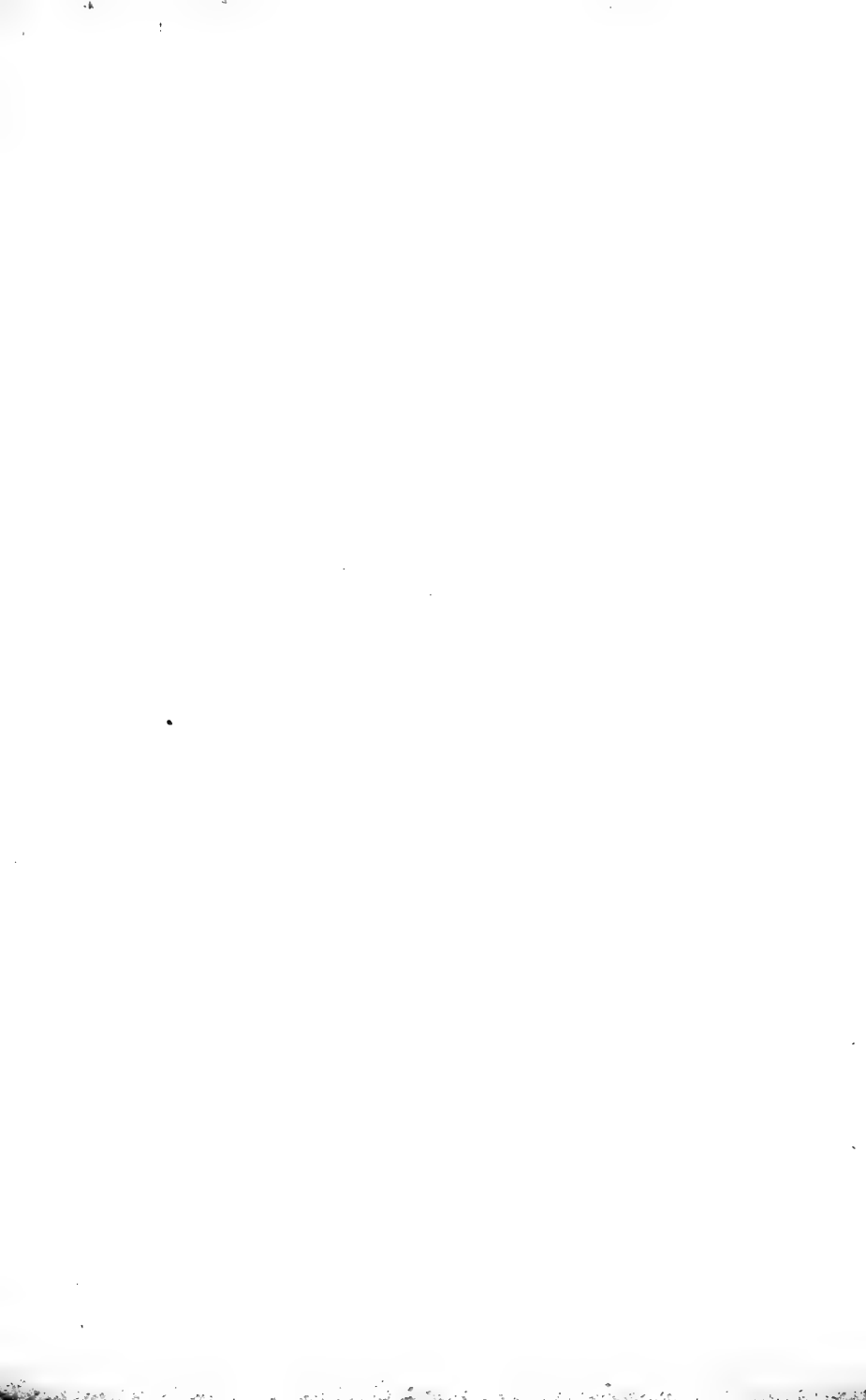
1. Introduced by Mr. Johns, April 7, 1887, and ordered to first reading.
2. First reading April 7, 1887, and referred to Committee on Corporations.
3. Reported back April 15, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section seven of an act, entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations." In force July 1, A. D. 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section seven of an act, entitled "An act to
3 enable associations of persons to become a body corporate to raise funds to
4 be loaned only among the members of such associations," in force July 1,
5 A. D. 1879, be and the same is hereby amended so as to read as follows:
6 "Section 7. Married women may become subscribers to the capital stock of
7 such association, and hold, control and transfer their stock in all respects as
8 *femes sole*, and their stock shall not be subject to the control of, or liable
9 for the debts of their husbands. Minors may become subscribers to and
10 owners of the stock of such associations by guardian or trustee, and such
11 guardian or trustee may withdraw the stock of such minor as provided in
12 section 6 of this act: *Provided, however,* that such guardian or trustee shall
13 give bonds to the probate court in double the amount of the withdrawal
14 value of such stock, for the use of such minor on his or her becoming of age;
15 but it is hereby provided that no person as proxy or attorney in fact
15 for the owner or owners of the stock of such association, at any
16 election where the stockholders are called upon to vote, shall vote upon
17 more than forty shares of the stock."



1. Received from House May 12, 1887, and ordered to first reading.
2. First reading May 12, 1887, and referred to Committee on Appropriations.
3. Reported back May 25, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to appropriate two thousand dollars (\$2,000) for the relief of John B. Tucker, of Hardin county, Illinois, a gallant Union soldier who lost both arms while in the service of his county, in the accidental discharge of a cannon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of two thousand dollars (\$2,000) be and the same is hereby appropriated out of the State Treasury to John B. Tucker, of Hardin county, Illinois, late a private soldier in the 15th regiment of Kentucky cavalry, in the late civil war, and afterwards by re-enlistment in Company B, of the 1st Green River Battalion of Kentucky Volunteers, in the service of the United States, while in the line of duty, in obedience to the orders of his superior officers, accidentally had both arms shot off by the accidental firing of a cannon.*

§ 2. The Auditor of Public Accounts shall draw his warrant on the treasury of the State of Illinois for two thousand dollars (\$2,000), hereby appropriated in favor of said John B. Tucker. The Treasurer shall pay said sum of money on presentation of said warrant.



-
1. Introduced by Curtiss, April 7, 1887, and ordered to first reading.
 2. First reading April 7, and ordered to second reading without reference.
-

A BILL

For An Act making additional appropriation for the payment of the employees of
the Thirty-Fifth General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That there be and is hereby appropriated an addi-
3 tional sum of fifty thousand dollars (\$50,000), or so much as may be necessary
4 to pay the employees of the Thirty-Fifth General Assembly at the rate of com-
5 pensation allowed by law; said employees to be paid upon rolls certified to by
6 the presiding officers of the respective houses, or as otherwise provided by law.

§ 2. Whereas, there does now exist a deficiency in the appropriation here-
2 tofore made for the above purpose, therefore an emergency exists, and this
3 act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Curtiss, April 7, 1887, and ordered to first reading.
2. First reading April 7, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, passage recommended and ordered to second reading.

A BILL

For An Act to amend section 20 of an act entitled "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by act approved March 28, 1874, in force July 1, 1874; and as amended by act approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section twenty (20) of an act entitled "An act*
3 *concerning fees and salaries and to classify the several counties of this State*
4 *with reference thereto," approved March 29, 1872, in force July 1, 1872; title*
5 *as amended by act approved March 28, 1874, in force July 1, 1874; and as*
6 *amended by act approved May 25, 1877, in force July 1, 1877, be and hereby*
7 *is amended so as to read as follows:*

8 "Section 20. [Masters in Chancery, fees of.] For administering oath and
9 signing *jurat* when not taking evidence or deposition, ten cents.

10 For taking acknowledgment or proof of any deed or other written instrument
11 twenty-five cents.

12 For taking depositions and certifying for every one hundred words, fifteen
13 cents.

14 For taking and reporting testimony under order of court, the same fee as
15 for taking deposition.

For computing the amount due on which to render a decree, and making report thereof to court, where no oral evidence is taken, two dollars.

For making sales and deeds thereon the same fees and allowances as sheriffs, but in no suit or other proceeding shall such fees and commissions exceed two hundred dollars, for making deed alone, in other cases, when required by order or decree of court, three dollars.

For report of sale in every suit or proceeding, when a sale is had, two dollars.

For hearing and deciding application for writs of *ne exeat* or injunction to be advanced by the complainant and taxed with the costs, five dollars.

For ordering or refusing to order a writ of *habeas corpus*, or *certiorari*, one dollar, and no other fee or allowance whatever shall be make for services of masters in chancery, except as hereinafter stated: *Provided*, that masters in chancery may receive for examining questions in issue referred to them, and reporting conclusions thereon, such compensation as the court may deem just, and for services not enumerated above in this section, and which have been and may be enjoined by statute or special order, they may receive such fee as the court may allow."

1. Introduced by Mr. Funk, April 8, 1887, and ordered to first reading.
2. First reading April 8, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section 28 of an act, entitled "An act to regulate the State charitable institutions and the State reform school, and to improve their organization and increase their efficiency," approved April 15, 1875.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
12 *in the General Assembly,* That section 28 of an act, entitled "An act to
3 regulate the State charitable institutions and the State reform school, and
4 to improve their organization and increase their efficiency," approved April
5 15, 1875, be and the same is hereby amended by striking out the word
6 "November," and substituting therefor the word "September;" also, striking
7 out the word "September," and substituting the word "June;" so that the
8 section will read, as amended, as follows: "On or before the first day of
19 September preceding each regular session of the General Assembly, the
10 trustees of each of the State institutions, named in this act shall make out
11 and transmit to the State Commissioners of Public Charities, and they,
12 if they find the same to be correct, shall deliver the same to the Governor,
13 a full and detailed report of all their transactions and doings for the two
14 years ending on the thirtieth day of June, immediately preceding," etc.

1. Introduced by Mr. Crabtree, April 11, 1887, and ordered to first reading
2. First reading April 11, 1887, and referred to Committee on Judiciary.
3. Reported back April 14, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section twenty-seven (27) of an act entitled "An act in regard to attachments in courts of record," approved December 23, 1871, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section twenty-seven (27) of an act entitled
3 "An act in regard to attachments in courts of record," approved December
4 23, 1871, be amended so as to read as follows:
5 "Section 27. The defendant may plead to the merits, also traversing the
6 facts stated in the affidavit upon which the attachment issued, which plea
7 shall be verified by affidavit; and if upon the trial the issue upon the attach-
8 ment shall be found for the defendant, the attachment shall be quashed and
9 the costs of the attachment shall be adjudged against the plaintiff. Both
10 issues shall be tried together by the same jury unless the court shall other-
11 wise direct."



-
1. Introduced by Mr. Cochran, April 12, 1887, and ordered to first reading.
 2. First reading April 12, 1887, and referred to Committee on Judiciary.
 3. Reported back April 14, 1887, passage recommended, and ordered to second reading.
-

A BILL

For An Act to enable inmates of Soldiers and Sailors Homes within the State of Illinois to vote at elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That every honorably discharged soldier or sailor*
3 *who shall have been an inmate of any Soldiers and Sailors Home within the*
4 *State of Illinois for ninety days or longer, and who shall have been a citizen*
5 *of the United States, and resided in this State one year, in the county where*
6 *any such Home is located, ninety days, and in the election district thirty days*
7 *next preceding any election, shall be entitled to vote in the election district*
8 *in which any such Soldiers and Sailors Home in which he is an inmate thereof*
9 *as aforesaid, is located, for all officers that now are or hereafter may be elected*
10 *by the people, and upon all questions that may be submitted to the vote of*
11 *the people: Provided, that he shall declare upon oath, if required so to do,*
12 *by any officer of election in said district that it was his bona fide intention at*
13 *the time he entered said Home to become a resident thereof.*

(Substitute for No. 348.)

1. Introduced by Committee on Insurance April 14, 1887, and ordered to first reading.
2. First reading April 14, 1887, and ordered to second reading without reference.

A BILL

For An Act to enable corporations, created for that purpose, to transact a surety business in this State and to become the surety on bonds required by law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That any company with a paid up capital of not less
3 than two hundred and fifty thousand dollars, incorporated and organized under
4 the laws of this or any State of the United States, for the purpose of trans-
5 acting business as surety on obligations of persons or corporations, and which
6 has complied with all the requirements of the law regulating the admission of
7 insurance companies to transact business in this State, may transact such
8 surety business in this State and may also, upon production of evidence of
9 solvency and credit satisfactory to the judge, head of department or other officer
10 authorized to approve such bond, be accepted as surety upon the bond of any
11 person or corporation required by the laws of this State to execute a bond,
12 and if such surety company shall furnish satisfactory evidence of its ability to
13 provide all the sureties required by law, no additional surety may be exacted,
14 but other surety may, in the discretion of the official authorized to approve
15 such bond, be required, and such surety may be released from its liability on
16 the same terms conditions as are by law prescribed for the release of individ-
17 uals, it being the true intent and meaning of this act to enable corporations,
18 created for that purpose, to become the surety of all bonds required by law,

19 subject to all the rights, conditions and liabilities of private parties: *Provided,*
20 that the authority of any company licensed to transact a surety business in this
21 State, shall cease and determine, if it shall remove or make application to
22 remove into any United States court, any action or proceedings commenced
23 in any of the State Courts of this State upon any claim or cause of action
24 arising out of any business transaction in fact done in this State, any per-
25 mission, consent, agreement, condition or provision incorporated in any con-
26 tract, mortgage, note, bond, obligation or policy, of surety authorizing or con-
27 senting to such removal, to the contrary notwithstanding.

§ 2. Any company, which shall execute any bond as surety under the
2 provisions of this act, shall be stopped in any proceedings to enforce the
3 liability from denying the authority of the agent or officer executing such
4 bond and undertaking such liability by and on behalf of such company.

§ 3. All actions brought against any company or corporation organized or
2 doing business under this act, may be brought in any county where the cause
3 of action occurred, or where the plaintiff or complainant resides, or in any
4 county where the company or corporation does business, and process may be
5 directed to any county in this State for service and return.

1. Introduced by Mr. Streeter, April 14, 1887, and ordered to first reading.
2. First reading April 14, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back May 4, 1887, without recommendation, and on motion of Mr. Streeter, was ordered to second reading.

A BILL

For An Act to suppress the selling, lending, giving away or showing to any minor any paper or publication principally devoted to illustrating or describing immoral deeds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person to sell, lend, give away or show, or have in his possession, with intent to sell, or give away, or show, or advertise, or otherwise offer for loan, gift or distribution, to any minor, any book, pamphlet, magazine, newspaper, story paper, or other printed paper devoted to the publication, or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime.

§ 2. It shall be unlawful to exhibit upon any street or highway, or in any place within the view, or which may be within the view of any minor, any book, magazine, pamphlet, newspaper, story paper, or other paper or publication coming within the description of matters mentioned in the first section of this act, or any of them.

§ 3. It shall be unlawful to hire, use or employ any minor to sell or give away, or in any manner to distribute or, for any person having the care, custody or control of any minor child, to permit such child to sell, give away, or in any manner to distribute any book, magazine, pamphlet, newspaper, story paper or other paper or publication such as are mentioned in the first

6 section of this act; and any person violating any of the provisions of this act,
7 shall be guilty of a misdemeanor, and on conviction, shall be fined in any sum
8 not less than twenty-five dollars (\$25) nor more than one thousand dollars
9 (\$1,000), or imprisoned in the county jail not to exceed six months, or both
10 fined and imprisonee, in the discretion of the court.

1. Received from House May 9, 1887, and ordered to first reading.
2. First reading May 11, 1887, and ordered to second reading without reference.

A BILL

For An Act to prevent the prostitution of females.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* Whoever within this State shall, by or under any
3 false pretense, entice, induce or procure any unmarried female of a chaste
4 life and conversation, residing or being in this State, to enter a house of
5 prostitution or any dance house, garden or premises where prostitution, for-
6 nication or concubinage is practiced or allowed in this State, or shall entice,
7 induce or procure such unmarried female to leave this State and go to
8 any other State or Territory of the United States, or any foreign State or
9 Territory, for the purpose of prostitution or fornication, or to enter any
10 house, garden or premises where prostitution or fornication is practiced or
11 allowed, and whoever aids, assists or abets any person or persons in com-
12 mitting aforesaid offenses or either of them, on conviction, shall be
13 imprisoned in the penitentiary not less than one nor more than ten years.

§ 2. Whoever shall unlawfully detain or confine any female, by force,
2 false pretense or intimidation, in any room, house, building or premises in
3 this State, against the will of such female, for purposes of prostitution or
4 with intent to cause such female to become a prostitute, and be guilty
5 of fornication or concubinage therein, or shall, by force, false pretense,
6 confinement or intimidation, attempt to prevent any female so as aforesaid
7 detained, from leaving such room, house, building or premises, and who-

8 ever aids, assists or abets by force, false pretense, confinement or intimi-
9 dation, in keeping, confining or unlawfully detaining any female in any
10 room, house, building or premises in this State, against the will of such
11 female, for the purpose of prostitution, fornication or concubinage, shall, on
12 conviction, be imprisoned in the penitentiary not less than one nor more
13 than ten years.

§ 3. Whoever, being the keeper of a house of prostitution, or assignation
2 house, building or premises in this State where prostitution, fornication or
3 concubinage is allowed or practiced, shall suffer or permit any unmarried
4 female under the age of eighteen years, of chaste life and conversation,
5 to live, board, stop or room in such house, building or premises, shall, on
6 conviction, be confined in the penitentiary not less than one nor more than
7 five years.

§ 4. Whoever shall entice, induce or procure to come to this State,
2 any unmarried female under the age of eighteen years, for the purpose of
3 prostitution, fornication or concubinage, or to enter any house of prostitu-
4 tion in this State, shall, on conviction, be imprisoned in the penitentiary
5 not less than one nor more than five years.

§ 5. The passage of this act shall not affect section one of division one
2 of the Criminal Code, entitled "Abduction of Females," or any indictment
3 heretofore, or that may hereafter be found under this act.

1. Introduced by Mr. Wheeler, April 14, 1887, and ordered to first reading.
2. First reading April 14, 1887, and referred to Committee on Judicial Department.
3. Reported back April 15, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two (2), of an act, entitled "An act to revise the law in relation to the Supreme Court," approved March 23, 1874, in force July 1, 1874.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section two (2) of an act entitled "An act to revise the law in relation to the Supreme Court," approved March 23, 1874, in force July 1, 1874, be amended so as to read as follows:

"Section 2. For the election of judges of the Supreme Court, the State shall be divided into seven districts, as follows:

First District—The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski, and Massac.

Second District—The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun and Christian.

Third District—The counties of Sangamon, Macon, Logan, DeWitt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie, Tazewell and Kankakee.

Fourth District—The counties of Fulton, McDonough, Hancock, Schuyler, Brown, Adams, Pike, Mason, Menard, Morgan, Cass and Scott.

- 19 Fifth District—The counties of Knox, Warren, Henderson, Mercer, Henry,
20 Stark, Peoria, Marshall, Putnam, Bureau, LaSalle, Grundy and Woodford.
- 21 Sixth District—The counties of Whiteside, Carroll, Jo Daviess, Stephenson,
22 Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee, Ogle and Rock
23 Island.
- 24 Seventh District—The counties of Lake, Cook, Will and Dupage.

1. Introduced by Committee on Mines and Mining, April 15, 1887, and ordered to first reading.
2. First reading April 15, 1887, and ordered to second reading without reference.

A BILL

For An act to secure just compensation to Miners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly:* That it shall be unlawful for any owner, agent or
3 operator of any coal mine, whose miners are paid upon the basis of the quan-
4 tity of coal which each shall mine and deliver to said employer, to take any
5 portion of the same by any process of screening, or by any other device,
6 which portion is subsequently sold by said employer, without fully accounting
7 for and crediting the same to the miner from whose output such portion is
8 screened or taken.

§ 2. Any person, owner or agent, operating a coal mine in this State who
2 shall fail to comply with the provisions of this act, shall be fined for the first
3 offense not less than twenty-five (\$25) dollars nor more than fifty dollars (\$50),
4 for the second offense not less than one hundred dollars (\$100) nor more than
5 two hundred dollars (\$200), and for the third offense be imprisoned in the
6 county jail not less than six months nor more than one year.



1. Introduced by Mr. Darnell, April 20, 1887, and ordered to first reading.
2. First reading, April 20, 1887, and referred to Committee on Appropriations.
3. Reported back, May 13, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to appropriate the amounts due to the owners of animals ordered slaughtered prior to July 1, 1885, and whose claims were duly approved, in accordance with the provisions of the law.

WHEREAS, There are several unpaid claims that were approved in accordance with the provisions of law, enacted by the Thirty-third General Assembly; and,

WHEREAS, The appropriation made to meet the anticipated claims was not sufficient, and was exhausted in paying like claims before these claims were presented; and,

WHEREAS, The Thirty-fourth General Assembly repealed the said law, and enacted another providing in a different manner for the adjustment of such claims, so that appropriations made therefor could not be applied to pay claims under the former act; and,

WHEREAS, The claimants fully complied with the requirements of law, and the claims were duly approved as therein provided, and would have been paid as all similar claims were paid, had said appropriation not been exhausted; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of six thousand four hundred and eleven dollars (\$6,411) be, and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated to pay said claims.*

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer, as follows, to-wit: To the order of John Boyd, the sum of three thousand dollars; to the order of W. F. Whitson and son, the sum of one hundred and twenty-five dollars; to the order of Mrs. M. G. Clark, the sum of one thousand one hundred and twenty dollars; to the order of D. B. Moore, the sum of seventy dollars; to the order of C. A. Keifer, the sum of ninety dollars; to the order of D. H. and S. S. Tripp, the sum of six hundred dollars; to the order of F. H. Bowran, the sum of twenty-five dollars; to the order of O. J. Bailey, the sum of one thousand and seventy dollars; to the order of J. L. Barrick, the sum of one hundred and fifty-five dollars, and to the order of J. S. O'Neal, the sum of one hundred and fifty-six dollars, and the above sums shall be in full satisfaction of said claims, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

§ 3. WHEREAS, These claims are long past due, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

AMENDMENT PROPOSED BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL No. 389.

Amend by striking out section 3 on page 2.

(Substitute for Senate Bill No. 138.)

1. Introduced by Committee on License and Miscellany April 21, 1887, and ordered to first reading.
2. First reading April 21, 1887, and ordered to second reading, without reference.

A BILL

For An Act to amend an act entitled "An act to regulate the practice of Pharmacy in the State of Illinois."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section two (2), six (6), seven (7), eight (8) and
3 eleven (11) of an act entitled "An act to regulate the practice of pharmacy in
4 the State of Illinois," approved May 30, 1881, and in force July 1, 1881, be
5 and the same are hereby amended so as to read as follows:

6 "Section 2. Licentiates in pharmacy shall, at the time of passing their
7 examinations, be registered as registered pharmacists, and no person other than
8 a licentiate in pharmacy shall hereafter be registered as a registered pharma-
9 cist: *Provided*, that 'registered assistant' pharmacists holding valid certifi-
10 cates under the act to which this is an amendment may become a registered
11 pharmacist upon making application to the Board of Pharmacy and paying a
12 fee of two dollars therefor. Any person, not being a registered pharmacist,
13 who shall conduct, take charge of, or act as manager of a pharmacy or drug
14 store, shall, for each and every such offense, be liable to a penalty of fifty
15 dollars, recoverable in an action of debt in any court having jurisdiction.

16 "Section 6. The said board shall, before the first day of February of each
17 year, meet and organize by the election of a president, secretary, and if
18 deemed advisable, a treasurer, all of whom shall be elected for the term of

19 one year, and shall perform the duties prescribed by the board. Said secre-
20 tary may be other than a member of said board. It shall be the duty of
21 the board to examine all applications for registration submitted in
22 proper form; to grant certificates of registration to such persons as may
23 be entitled to the same under the provisions of this act; to investi-
24 gate complaints, and to cause the prosecution of all persons violating
25 its provisions; to report annually to the Governor and to the Illinois Phar-
26 maceutical Association upon the condition of pharmacy in the State, which
27 said report shall also furnish a record of the proceedings of the said board for
28 the year, and shall include full information as to the method of examinations of
29 applicants for registration and a record of the questions submitted at two or
30 more examinations, and of the names, places of business and reasons for reg-
31 istration of all pharmacists and 'registered assistants' duly registered under
32 this act, with an itemized account of all moneys received and expended. The
33 said names, places of business and reasons for registration shall be also kept
34 in a book of registration at the office of the board. The board shall hold
35 meetings for the transaction of such business as shall pertain to its duties as
36 often as it may deem expedient and necessary, one of which shall be held
37 each year in the city of Springfield and one in the city of Chicago; it shall
38 give thirty days' public notice of such meetings. The board shall have power
39 to make by-laws, not inconsistent with the laws of this State, for the proper
40 fulfillment of its duties under this act. The records of the board, or a copy
41 of any part thereof, attested by the seal of the board, shall be accepted as
42 competent evidence in all courts of the State. All questions submitted by
43 the board to candidates for registration at any one examination shall be uni-
44 form, and answers thereto shall be in writing; said questions and answers,
45 together with the rules, regulations, method of rating answers, standard
46 required for passing examinations, and all other papers and information relating
47 to examinations, shall be preserved by the board and be deemed public records.
48 All persons whose ratings are in accord with the standard adopted at any
49 examination, which standard shall be uniform for all candidates, shall be

50 entitled to registration. Three members of said board shall constitute a
51 quorum. The Secretary of State shall provide suitable rooms for the board
52 at the Capitol.

53 "Section 7. Any itinerent vendor of any drug, nostrum, ointment or
54 appliance of any kind, intended for the treatment of diseases or injury, who
55 shall by writing, or printing or any other method, publicly profess to cure or
56 treat diseases or injury or deformity, by any drug, nostrum or manipulation
57 or other expedient shall pay a license to the Board of Pharmacy of one
58 hundred dollars per annum, whereupon the board shall issue such license for
59 one year. Any person violating this section shall be deemed guilty of
60 a misdemeanor, and shall, upon conviction, pay a fine of not less than one
61 hundred nor more than two hundred dollars.

62 "Section 8. The Board of Pharmacy may grant, under such rules and
63 regulations as it may deem proper, at a fee not exceeding one dollar, a certifi-
64 cate as a 'registered assistant,' to assistant pharmacists, who shall be not less
65 than eighteen years of age, and who shall have had an experience of two
66 years or more in the practice of pharmacy, and have passed a satisfactory
67 examination before the said board; but such certificate shall not entitle the
68 holder to open or conduct a pharmacy on his own account, or to take charge
69 of or act as manager of a pharmacy or drug store. Annually thereafter, during
70 the time he shall continue in such duties, he shall pay to the board a sum
71 not exceeding fifty cents, for which he shall receive a renewal of his
72 certificate.

73 "Section 11. The members of the said board shall receive the sum of five
74 dollars for each day actually engaged in the performance of their duties, and
75 all legitimate and necessary expenses incurred in such service, and shall be
76 authorized to pay a salary to its secretary, to employ a clerk, and incur such
77 other expenses as may be deemed necessary. Said expenses shall be paid
78 from the fees and penalties received by the board under the provisions of this
79 act. All moneys received in excess of said per diem, allowance and other

80 expenses above provided for, shall be held by the board as a special fund for
81 meeting the expenses of said board, the custodian thereof—who shall be
82 appointed by the board—giving such bonds as the board shall from time to
83 time direct.

(Substitute for Senate Bill No. 138.)

1. Introduced by Committee on License and Miscellany April 21, 1887, and ordered to first reading.
2. First reading April 21, 1887, and ordered to second reading, without reference.
3. Second reading May 5, 1887, and ordered to third reading.
4. Third reading May 24, 1887. Failed to pass.
5. Reconsidered May 25, 1887, amended and ordered to third reading.

▲ BILL

For An Act to amend sections two (2), six (6), eight (8) and eleven (11) of an act
“entitled “An act to regulate the practice of Pharmacy in the State of Illinois.”

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That sections two (2), six (6), eight (8) and eleven
3 (11) of an act entitled “An act to regulate the practice of pharmacy in the
4 State of Illinois,” approved May 30, 1881, and in force July 1, 1881, be and
5 the same are hereby amended so as to read as follows:
6 “Section 2. Licentiates in pharmacy shall, at the time of passing their
7 examinations, be registered as registered pharmacists, and no person, other than
8 a licentiate in pharmacy, shall hereafter be registered as a registered pharma-
9 cist: *Provided,* that ‘registered assistant’ pharmacists holding valid certifi-
10 cates under the act to which this is an amendment, may become a registered
11 pharmacist upon making application to the Board of Pharmacy and paying a
12 fee of two dollars therefor. Any person, not being a registered pharmacist,
13 who shall conduct, take charge of, or act as manager of a pharmacy or drug
14 store, shall, for each and every such offense, be liable to a penalty of fifty
15 dollars, recoverable in an action of debt in any court having jurisdiction.

16 "Section 6. The said board shall before the first day of February of each
17 year, meet and organize by the election of a president, secretary, and, if
18 deemed advisable, a treasurer, all of whom shall be elected for the term of
19 one year, and shall perform the duties prescribed by the board. Said secre-
20 tary may be other than a member of said board. It shall be the duty of
21 the board to examine all applications for registration submitted in
22 proper form; to grant certificates of registration to such persons as may
23 be entitled to the same under the provisions of this act; to investi-
24 gate complaints and to cause the prosecution of all persons violating
25 its provisions; to report annually to the Governor and to the Illinois Phar-
26 maceutical Association upon the condition of pharmacy in the State, which
27 said report shall also furnish a record of the proceedings of the said board for
28 the year, and shall include full information as to the method of examinations of
29 applicants for registration and a record of the questions submitted at two or
30 more examinations, and of the names, places of business and reasons for reg-
31 istration of all pharmacists and 'registered assistants' duly registered under
32 this act, with an itemized account of all moneys received and expended. The
33 said names, places of business and reasons for registration, shall be also kept
34 in a book of registration at the office of the board. The board shall hold
35 meetings for the transaction of such business as shall pertain to its duties as
36 often as it may deem expedient and necessary, one of which shall be held
37 each year in the city of Springfield, and one in the city of Chicago; it shall
38 give thirty days' public notice of such meetings. The board shall have power
39 to make by-laws, not inconsistent with the laws of this State, for the proper
40 fulfillment of its duties under this act. The records of the board, or a copy
41 of any part thereof, attested by the seal of the board, shall be accepted as
42 competent evidence in all courts of the State. All questions submitted by
43 the board to candidates for registration at any one examination shall be uni-
44 form, and answers thereto shall be in writing; said questions and answers,
45 together with the rules, regulations, method of rating answers, standard
46 required for passing examinations, and all other papers and information relating

47 to examinations, shall be preserved by the board and be deemed public records.
48 All persons whose ratings are in accord with the standard adopted at any
49 examination, which standard shall be uniform for all candidates, shall be
50 entitled to registration. Three members of said board shall constitute a
51 quorum. The Secretary of State shall provide suitable rooms for the board
52 at the Capitol.

53 "Section 8. The Board of Pharmacy may grant, under such rules and
54 regulations as it may deem proper, at a fee not exceeding one dollar, a cer-
54 tificate as a 'registered assistant,' to assistant pharmacists who shall be not
55 less than eighteen years of age, and who shall have had an experience of two
56 years or more in the practice of pharmacy, and have passed a satisfactory
57 examination before the said board; but such certificate shall not entitle the
58 holder to open or conduct a pharmacy on his own account or take charge
59 of or act as manager of a pharmacy or drug store. Annually thereafter, dur-
60 ing the time he shall continue in such duties, he shall pay to the board a
61 sum not exceeding fifty cents for which he shall receive a renewal of his
62 certificate.

63 "Section 11. The members of the said board shall receive the sum of five
64 dollars for each day actually engaged in the performance of their duties, and
65 all legitimate and necessary expenses incurred in such service, and shall be
66 authorized to pay a salary to its secretary, to employ a clerk, and incur such
67 other expenses as may be deemed necessary. Said expenses shall be paid
68 from the fees and penalties received by the board under the provisions of this
69 act. All moneys received in excess of said per diem, allowance and other
70 expenses above provided for, shall be held by the board as a special fund for
71 meeting the expenses of said board, the custodian thereof, who shall be
72 appointed by the board, giving such bonds as the board shall, from time to
73 time, direct."

1. Introduced by Mr. Greenwood, April 21, 1887, and ordered to first reading.
2. First reading April 21, 1887, and referred to Committee on Judicial Department.
3. Reported back June 7, 1887, and ordered on the calendar for a second reading.

A BILL

For An Act to regulate the rate of fare upon railroads in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That from and after the passage of this act, the
3 rate of fare for each and every passenger over and upon each and every
4 railroad in the State of Illinois shall not exceed two cents for each and
5 every mile or fraction of a mile traveled. But nothing herein contained
6 shall apply to street railroads. Each and every person or corporation charging,
7 accepting or receiving a greater sum than two cents for each and every
8 mile traveled or to be traveled as aforesaid, shall be deemed guilty of a
9 misdemeanor and shall, upon conviction, be fined not less than fifty nor
10 more than one hundred dollars for each and every offense.



1. Received from House May 26, 1887, and ordered to first reading.
 2. First reading May 27, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to provide for the election of Presidents of Boards of Education in School Districts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That in every school district in which by general
3 law a board of education is required to be elected, there shall also be elected,
4 at the same time, a president of the board of education, who shall hold his
5 office for one year, and until his successor is elected and qualified.

§ 2. The president of the board of education so elected in each school dis-
2 trict shall preside at all meetings of said board, and shall give the casting vote
3 in case of a tie between the members thereof, but otherwise he shall not have
4 a vote. He shall sign all orders for the payment of money, ordered by said
5 board, and generally perform such duties as are now imposed by law upon
6 presidents of boards of education, or that may be imposed upon him by said
7 board, not in conflict with law: *Provided,* that in the absence or inability to
8 act of said president, said board may appoint a president *pro tem* from their
9 number.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.



1. Received from House April 28, 1887, and ordered to first reading.
2. First reading May 16, 1887, and ordered to second reading without reference.

A BILL

For An Act to authorize Railway Corporations to lay out and build branch rail-roads and extensions and to alter their routes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* Any railway corporation may extend its road
3 from any point named in its charter, articles of incorporation or articles
4 of consolidation, or may build branch roads either from any point on its
5 line of road or from any point upon the line of any other railroad connecting
6 or to be connected with its line of road, the use of which other road
7 between such point and the connection with its own road such corporation
8 shall have secured by lease or agreement for a term of not less than ten
9 years from its date. Before making such extension or building any such
10 branch road such corporation shall, by resolution of its directors, to be
11 entered in the record of its proceedings, designate in general terms the
12 route of such proposed extension or branch road, and file a copy of such
13 record, certified by the president and secretary, in the office of the Secretary
14 of State, and cause the same to be recorded therein. Thereupon such
15 corporation shall have all the rights and privileges to make such extension
16 or build such branch road which it would have had if it had been
17 authorized so to do in its charter or articles of incorporation. But this
18 section shall not be construed as authorizing railway corporations to con-
19 solidate with each other.

§ 2. The board of directors of any railway corporation may, by a vote of two-thirds of the whole number thereof, alter the route or any part of the route of their railroad, or of any branch or extension thereof, at any time before the same shall be completed ready for the passage of trains over the same, at the point of any such alteration. Before making any such alteration the board of directors shall designate in general terms the route thereof, to be entered in its records, and a copy thereof certified, filed and recorded in the office of the Secretary of State as provided in the preceding section. Thereupon such corporation shall have the same rights and privileges to build such road as so altered as if it were the original line.

1. Introduced by Committee on Revenue, April 22, 1887, and ordered to first reading.
 2. First reading April 22, 1887, and ordered to second reading without reference.
-

A BILL

For An Act in relation to the Public Revenue.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That all property in this State, real and personal,*
3 *tangible and intangible, not hereinafter specifically exempted from taxation,*
4 *shall be taxed.*

§ 2. All property described in this section, to the extent herein limited,

2 shall be exempt from taxation, that is to say—

3 *First*—All lands donated by the United States for school purposes, not sold
4 or leased. All public school houses. All property of institutions of learning,
5 including the real estate on which the institutions are located not leased by
6 such institutions or otherwise used with a view to profit.

7 *Second*—All church property actually and exclusively used for public worship
8 when the land (to be of reasonable size for the location of the church building or
9 parsonage) is owned by the congregation.

10 *Third*—All lands used exclusively as graveyards or grounds for burying the
11 dead.

12 *Fourth*—All unentered government lands; all public buildings or structures
13 of whatsoever kind, and the contents thereof, and the land on which the same
14 are located, belonging to the United States.

15 *Fifth*—All property of every kind belonging to the State of Illinois.

16 *Sixth*—All property belonging to any county, town, village or city, used
 17 exclusively for the maintenance of the poor. All swamp or overflowed lands
 18 belonging to any county, so long as the same remain unsold by such county.
 19 All public buildings belonging to any county, township, city or incorporated
 20 town, with the ground on which such buildings are erected, not exceeding in
 21 any case ten acres.

22 *Seventh*—All property of institutions of purely public charity, when actually
 23 and exclusively used for such charitable purposes, not leased or otherwise
 24 used with a view to profit; and all free public libraries.

25 *Eighth*—All fire engines and other implements used for the extinguishment
 26 of fires, with the buildings used exclusively for the safe keeping thereof, and
 27 the lot of reasonable size on which the building is located, when belonging
 28 to any city, village or town.

29 *Ninth*—All market houses, public squares or other public grounds used ex-
 30 clusively for public purposes. All works, machinery and fixtures belonging
 31 to any town, city or village, and used exclusively for conveying water to
 32 such town, city or village, and all bridges owned by any city, village, incor-
 33 porated town or township.

34 *Tenth*—All property which may be used exclusively by societies for agri-
 35 cultural and horticultural purposes, and not for pecuniary profit.

§ 3. Personal property shall be valued as follows:

2 *First*—All personal property, except as herein otherwise directed, shall be
 3 valued at its fair cash value.

4 *Second*—Every credit for a sum certain, payable either in money or labor,
 5 shall be valued at a fair cash value, for the sum so payable; if for any
 6 article of property, or for labor or services of any kind, it shall be valued at the
 7 current price of such property, labor or service.

8 *Third*—Annuities and royalties shall be valued at their then present total
 9 value.

10 *Fourth*—The capital stock of all companies and associations now or here-
 11 after created under the laws of this State, (except those required to be
 12 assessed by the local assessors, as hereinafter provided, and except the

13 property of insurance companies, and public warehouses, which shall be assessed
14 and taxed according to the provisions of this act, applicable to said properties,
15 shall be so valued by the State Board of Equalization as to ascertain and deter-
16 mine, respectively, the fair cash value of such capital stock, including the fran-
17 chise, over and above the assessed value of the tangible property of such com-
18 pany or association. Said board shall adopt such rules and principles for
19 ascertaining the fair cash value of such capital stock, as to it may seem
20 equitable and just; and such rules and principles, when so adopted, if
21 not inconsistent with this act, shall be as binding and of the same effect
22 as if contained in this act, subject, however, to such change, alteration or
23 amendment as may be found, from time to time, to be necessary by said
24 board: *Provided*, that in all cases where the tangible property or capital
25 stock of any company or association is assessed under this act, the shares
26 of capital stock of any such company or association shall not be assessed
27 or taxed in this State. This clause shall not apply to the capital stock, or
28 shares of capital stock of banks organized under the general banking laws
29 of this State: *Provided, further*, that companies and associations organized
30 for purely manufacturing or mercantile purposes, or for printing, or for publish-
31 ing of newspapers, or for the improving and breeding of stock, shall be assessed
32 by the local assessors in like manner as the property of individuals is
33 required to be assessed.

§ 4. Personal property shall be listed between the first day of May and
2 the fifteenth day of August of each year, when required by the assessor, with
3 reference to the quantity held or owned on the first day of May, in the year
4 for which the property is required to be listed. Personal property purchased
5 or acquired on the first day of May shall be listed by or for the person pur-
6 chasing or acquiring it.

§ 5. Personal property shall be listed in the manner following:

2 *First*—Every person of full age and sound mind, being a resident of this
3 State, shall list all his moneys, credits, bonds or stocks, shares of stock of
4 joint stock or other companies (when the capital stock of such company is

5 not assessed in this State), moneys loaned or invested, annuities, franchises,
6 royalties, and other personal property.

7 *Second*—He shall also list all moneys and other personal property invested,
8 loaned or otherwise controlled by him as the agent or attorney, or on account
9 of any other person or persons, company or corporation whatsoever, and all
10 moneys deposited, subject to his order, check or draft, and credits due from
11 or owing by any person or persons, body corporate or politic.

12 *Third*—The property of a minor child shall be listed by his guardian; if
13 he have no guardian, then by the father, if living; if not, by the mother, if
14 living; and if neither father nor mother be living, by the person having such
15 property in charge.

16 *Fourth*—The property of an idiot or lunatic, by his conservator; or if he
17 has no conservator, by the person having charge of such property.

18 *Fifth*—The property of a wife, by herself, if of sound mind; if not, then
19 by her husband, or conservator, if she have one.

20 *Sixth*—The property of a person for whose benefit it is held in trust, by
21 the trustee; of the estate of a deceased person, by the executor or admin-
22 istrator.

23 *Seventh*—The property of corporations whose assets are in the hands of
24 receivers, by such receivers.

25 *Eighth*—The property of a corporation, by the president, secretary, or other
26 proper officer thereof.

27 *Ninth*—The property of a firm or company, by a partner or agent thereof.

28 *Tenth*—The property of manufacturers and others in the hands of an agent,
29 by and in the name of such agent, as merchandise.

§ 6. Personal property, except such as is required in this act to be listed
2 and assessed otherwise, shall be listed and assessed in the county, town, city,
3 village or district where the owner resides. The capital stock and franchises of
4 corporations and persons, except as may be otherwise provided, shall be listed
5 and taxed in the county, town, district, city or village where the principal
6 office or place of business of such corporation or person is located in this
7 State. If there is no principal office or place of business in this State, then

8 at the place in this State where any such corporation or person transacts
9 business.

§ 7. When the owner of live stock or other personal property connected with
2 a farm does not reside thereon, the same shall be listed and assessed in the
3 town or district where the farm is situated: *Provided*, if the farm is situated
4 in several towns or districts, it shall be listed and assessed in the town or
5 district in which the principal place of business on such farm shall be.

§ 8. The property of manufacturers and others, in the hands of agents,
2 shall be listed and assessed at the place where the business of such agent is
3 carried on.

§ 9. When real estate is exempt in the hands of the holder of the fee, and
2 the same is contracted to be sold, the amount paid thereon by the pur-
3 chaser, with the enhanced value of the investment and improvements thereon
4 until the fee is conveyed, shall be held to be personal property, and listed
5 and assessed as such, in the place where the land is situated.

§ 10. Personal property *in transitu* shall be listed and assessed in the
2 county, town, city or district where the owner resides: *Provided*, if it is intended
3 for a business, it shall be listed and assessed at the place where the property
4 of such business is required to be listed.

§ 11. The stock of nurseries, growing or otherwise, in the hands of nurse-
2 rymen, shall be listed and assessed as merchandise.

§ 12. The personal property of banks or bankers, brokers, stock jobbers, insu-
2 rance companies, hotels, livery stables, saloons, eating-houses, merchants and
3 manufacturers, ferries, mining companies, and companies not especially provided
4 for in this act, shall be listed and assessed in the county, town, city, village
5 or district where their business is carried on, except such property as shall
6 be liable to assessment elsewhere, in the hands of agents. All persons, com-
7 panies and corporations in this State, owning steamboats, sailing vessels, wharf
8 boats, barges and other water craft, shall be required to list the same for
9 assessment and taxation in the county, town, city, village or district in which
10 the same may be, belong or be enrolled, registered or licensed, or kept when
11 not enrolled, registered or licensed.

§ 13. The personal property of gas and coke companies, except the pipes
 2 laid down, shall be listed and assessed in the town, village, district or city
 3 where the principal works are located. Gas mains and pipes laid in roads,
 4 streets or alleys, shall be held to be personal property, and listed and assessed
 5 as such in the town, district, village or city where the same are laid.

§ 14. The personal property of street railroad, plank road, gravel road,
 2 turnpike or bridge companies, shall be listed and assessed in the county,
 3 town, district, village or city where the principal place of business is located.
 4 The track, road or bridge shall be held to be personal property, and listed and
 5 assessed as such in the town, district, village or city where the same is
 6 located or laid.

§ 15. The horses, stages and other personal property of stage companies or
 2 persons operating stage lines, shall be listed and assessed in the county, town,
 3 city or district where they are usually kept.

§ 16. The personal property of express or transportation companies shall
 2 be listed and assessed in the county, town, district, village or city where the
 3 same is usually kept.

§ 17. No consignee shall be required to list, for taxation, the value of
 2 any property consigned to him for the sole purpose of being stored or for-
 3 warded, except to the extent of his interest in such property.

§ 18. Persons required to list property on behalf of others, shall list it in
 2 the same place in which they are required to list their own; but they shall
 3 list it separately from their own, specifying in each case the name of the
 4 person, estate, company or corporation to whom it belongs.

§ 19. Persons, for themselves or others, holding bonds or stocks of any
 2 kind, the principal of which bonds or stocks has been or may hereafter be
 3 exempt from taxation, shall list the amount of accrued interest on such
 4 bonds, without regard to the time when the same is to be paid.

§ 20. Where a deed for real estate is held for the payment of a sum of
 2 money, such sum, so secured, shall be held to be personal property, and shall
 3 be listed and assessed as credits.

§ 21. The owner of personal property removing from one county, town, city, village or district, to another, between the first day of May and the fifteenth day of August, shall be assessed in either in which he is first called upon by the assessor. The owner of personal property moving into this State, from another State, between the first day of May and the fifteenth day of August, shall list the property owned by him on the first day of May of such year, in the county, town, city, village or district in which he resides: *Provided*, if such person has been assessed, and can make it appear to the assessor that he is held for tax of the current year on the property, in another State, county, town, city or district, he shall not be again assessed for said year.

§ 22. In all questions that may arise under this act as to the proper place to list personal property, or when the same cannot be listed as stated in this act, if between several places in the same county, the place for listing and assessing shall be determined and fixed by the county board; and when between different counties or places in different counties, by the Auditor of Public Accounts; and when fixed in either case, shall be as binding as if fixed by this act.

§ 23. Persons required to list personal property shall make out, and deliver to the assessor at the time required, a schedule of the numbers, amounts, quantity and quality of all personal property in their possession or under their control, required to be listed by them. And it shall be the duty of the assessor to determine and fix the fair cash value of all items of personal property on hand on the first day of May. And if any person shall neglect or refuse to make such schedule when requested, the assessor shall list his or her property according to his best judgment and information. Any person being so requested to list personal property who shall neglect or refuse so to do, or shall wilfully make a false or incomplete list, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five hundred dollars. All violations of this section shall be annually reported by the assessor to the county attorney, whose duty it shall be to prosecute the same at once.

§ 24. It shall not be lawful for any person in this State to make any sale or transfer of personal property, or any change in the condition, situs or status thereof, for the purpose of evading taxation upon the same or any part thereof; or to aid or abet any other person in so doing; and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and fined not less than fifty dollars nor more than five hundred dollars; and in all cases of conviction hereunder the court shall assess, as part of the costs, a fee of not less than \$25 for the county attorney.

§ 25. Such schedule, when completed by the assessor, in extending in a separate column the value of such property, shall truly and distinctly set forth:

- First*—The number of horses of all ages, and the value thereof.
- Second*—The number of cattle of all ages, and the value thereof.
- Third*—The number of mules and asses of all ages, and the value thereof.
- Fourth*—The number of sheep of all ages, and the value thereof.
- Fifth*—The number of hogs of all ages and the value thereof.
- Sixth*—Every steam engine, including boilers, and the value thereof.
- Seventh*—Every fire or burglar-proof safe, and the value thereof.
- Eighth*—Every billiard, pigeon-hole, bagatelle or other similar tables and the value thereof.
- Ninth*—Every carriage and wagon, of whatsoever kind, and the value thereof.
- Tenth*—Every piano forte, and the value thereof.
- Eleventh*—Every melodeon and organ, and the value thereof.
- Twelfth*—Every franchise, the description and the value thereof.
- Thirteenth*—Every annuity and royalty, the description and the value thereof.
- Fourteenth*—Every patent right, the description and the value thereof.
- Fifteenth*—Every steamboat, sailing vessel, wharf-boat, barge or other water craft, and the value thereof.
- Sixteenth*—The value of merchandise on hand.
- Seventeenth*—The value of material and manufactured articles on hand.
- Eighteenth*—The value of manufacturers' tools, implements and machinery (other than boilers and engines, which shall be listed as such.)

- 25 *Nineteenth*—The value of agricultural tools, implements and machinery.
- 26 *Twentieth*—The value of gold and silver plate and plated ware.
- 27 *Twenty-first*—The value of diamonds and jewelry.
- 28 *Twenty-second*—The amount of moneys of bank, banker, broker or stock jobber.
- 29 *Twenty-third*—The amount of credits of bank, banker, broker or stock jobber.
- 30 *Twenty-fourth*—The amount of moneys, other than of bank, banker, broker or
31 stock jobber.
- 32 *Twenty-fifth*—The amount, value and description of credits other than of
33 bank, banker, broker or stock jobber.
- 34 *Twenty-sixth*—The amount, value and description of bonds or stocks.
- 35 *Twenty-seventh*—The amount, value and description of shares of capital stock of
36 companies and associations not incorporated by the laws of this State.
- 37 *Twenty-eighth*—The value of property such person is required to list as a pawn-
38 broker.
- 39 *Twenty-ninth*—The value of property of companies and corporations other
40 than property hereinbefore enumerated.
- 41 *Thirtieth*—The value of bridge property.
- 42 *Thirty-first*—The value of property, of saloons and eating houses.
- 43 *Thirty-second*—The value of household or office furniture and property.
- 44 *Thirty-third*—The value of investments in real estate and improvements
45 thereon required to be listed under this act.
- 46 *Thirty-fourth*—The value of all other property required to be listed.

§ 26. Whenever the person listing property for himself or for any other
2 person, company or corporation claims that such property or a portion of the
3 same is invested in United States bonds or securities not subject to taxa-
4 tion, said assessor shall have the power to require such person to exhibit to
5 him the said bonds, or securities not subject to taxation, together with a
6 written description of said bonds or securities, containing the number, series,
7 date and amount of same, and also the time when he purchased the same.

§ 27. In making up the amount of credits which any person is
2 required to list for himself, or for any other person, company or

3 corporation, he shall be entitled to deduct from the gross amount of
4 credits the amount of all *bona fide* debts owing by such person, company or
5 corporation, to any other person, company or corporation, for a con-
6 sideration received; but no acknowledgment of indebtedness not founded
7 on actual consideration, believed when received to have been adequate,
8 and no such acknowledgment made for the purpose of being so deducted,
9 shall be considered a debt within the meaning of this section; and so
10 much only of any liability, as surety for others, shall be deducted
11 as the person making out the statement believes he is legally and equitably
12 bound and will be compelled to pay, on account of the inability or insolvency
13 of the principal debtor; and if there are other sureties who are able to
14 contribute, then only so much as the surety in whose behalf the statement
15 is made will be bound to contribute; *Provided*, that nothing in this section
16 shall be so construed as to apply to any bank, company or corporation
17 exercising banking powers or privileges, or to authorize any deductions allowed
18 by this section from the value of any other item of taxation than credits.

§ 28. No person, company or corporation shall be entitled to any deduction
2 from the amount of any bonds, stocks or money loaned, or on account of any
3 bond, note or obligation of any kind given to any insurance company on account
4 of premiums or policies, nor on account of any unpaid subscription to any
5 religious, literary, scientific or charitable institution or society, nor on account
6 of any subscription to or installment payable on the capital stock of any
7 company, whether incorporated or unincorporated.

§ 29. In all cases where deductions are claimed from credits, the assessor
2 shall require a statement thereof in writing of the person, officer or
3 agent claiming the same; and any such person, officer or agent knowingly
4 or willfully making a fraudulent statement of such deductions claimed,
5 shall be liable to a fine of not less than one hundred dollars nor more
6 than one thousand dollars, in addition to all damages sustained by
7 the State, county or other local corporation, to be recovered in any proper
8 form of action in any court of competent jurisdiction, in the name of

9 the People of the State of Illinois. Such fines, when recovered, shall
 10 be paid into the county treasury, and the damages when collected shall be
 11 paid to whom they belong. The assessor shall preserve the statement of
 12 deductions thus claimed, and when he returns the assessment books shall
 13 file the same with the county clerk, to be kept on file in his office for two
 14 years, and at the expiration of such time said statement of deductions shall
 15 be destroyed by said clerk, but in the meantime shall be subject only to
 16 the inspection of the officers charged with the execution of this law.

§ 90. Every bank or company having or exercising any banking powers,
 2 organized under any law of this State, and every private or unincorporated
 3 bank, banker, broker or stock-jobber, or foreign corporation doing the busi-
 4 ness of a banker, broker or stock-jobber in this State, shall, at the time
 5 fixed by this act for listing personal property, make out and furnish the
 6 assessor a statement, showing

7 *First*—The amount of gold and silver coin and bullion on hand or in
 8 transitu.

9 *Second*—The amount of United States notes and gold and silver certificates
 10 on hand or in transitu.

11 *Third*—The amount of National bank notes on hand or in transitu.

12 *Fourth*—The amount of funds in the hands of other banks, bankers, brokers
 13 or others, subject to draft.

14 *Fifth*—The amount of checks or other cash items, the amount thereof not
 15 being included in either of the preceding items.

16 *Sixth*—The amount of bills receivable, discounted or purchased, and other
 17 credits, due or to become due, including accounts receivable, the interest
 18 accrued but not due, and interest due and unpaid.

19 *Seventh*—The amount of United States bonds, with the series and numbers.

20 *Eighth*—The amount and description of other non-taxable securities.

21 *Ninth*—The amount of all other bonds and stocks of every kind, and shares
 22 of capital stock of companies or corporations not taxed in this State, held as
 23 an investment, or in any way representing assets.

24 *Tenth*—All other properties appertaining to said business, other than real
25 estate.

26 *Eleventh*—The amount of all deposits made with them by other parties.

27 *Twelfth*—The amount of all accounts payable, other than current deposit
28 accounts.

29 The aggregate amount of the first, third, fourth and fifth items in said
30 statement shall be listed as moneys. The amount of the tenth item shall be
31 listed the same as other similar personal property is listed under this act.
32 From the aggregate amount of the sixth item of said statement shall be
33 deducted so much of the aggregate amount of the eleventh and twelfth items
34 as such last named aggregate amount shall exceed the aggregate amount of
35 the second, seventh and eighth items; and the amount of the remainder, if
36 any, shall be listed as credits. The aggregate amount of the ninth item shall
37 be listed as bonds or stocks.

§ 31. The statement required by section 29 shall be made and certified as
2 is required by section 33 and if any person required by section 29 or by sec-
3 tion 33 to make or certify any such statement, shall make or certify a false
4 statement, or any company required to furnish any such statement shall neg-
5 lect or refuse to do so, within the time and in the manner required by law,
6 he or it shall be deemed guilty of a misdemeanor and fined not less than
7 \$100 nor more than \$500.

§ 31. Banking, bridge, ferry, gravel road, gas, mining, plank road, savings
2 bank, stage, steamboat, street railroad, transportation, turnpike, telephone and
3 all other companies and associations incorporated under the laws of this State
4 (other than banks organized under the general banking laws of this State
5 not hereinafter provided for and the corporations required to be assessed by
6 the local assessors as hereinbefore provided) shall, in addition to the other
7 property required by this act to be listed, make out and deliver to the assessor
8 a statement in writing of the amount of its capital stock, setting forth
9 particularly.

10 *First*—The name and location of the company or association.

11 *Second*—The amount of capital stock authorized, and the number of shares
12 into which such capital stock is divided.

13 *Third*—The amount of capital stock paid up.

14 *Fourth*—The actual cash value of all the shares of stock.

15 *Fifth*—The market value, or if no market value, then the actual value of
16 the shares of stock.

17 *Sixth*—The total amount of all indebtedness, except the indebtedness for
18 current expenses, excluding from such expenses the amount paid for the pur-
19 chase or improvement of property.

20 *Seventh*—The assessed valuation of all its tangible property in Illinois.

21 *Eighth*—The value of all its tangible property assessed and taxed in juris-
22 dictions other than Illinois.

23 Such schedule shall be made in conformity to such instruction and forms
24 as may be prescribed by the Auditor of Public Accounts. In all cases of
25 failure or refusal of any person, officer, company or association to make such
26 return or statement, it shall be the duty of the assessor to make such return
27 or statement from the best information which he can obtain.

§ 33. Such statements shall be scheduled by the assessor; and such
2 schedule, with the statements so scheduled, shall be returned by the
3 assessor to the county clerk. Said clerk shall, at the time he makes his
4 report of assessment, forward to the Auditor all such schedules and
6 statements so returned to him. The Auditor shall, annually, on the meeting
6 of the State Board of Equalization, lay before said board the schedules and
7 statements herein required to be returned to him; and said board shall value
8 and assess the capital stock of such companies or associations in the manner
9 provided in this act.

§ 34. Such statements shall be made in conformity to any instructions and
2 upon such forms as may be given or prescribed by the Auditor of Public
3 Accounts, and shall be signed by the president, cashier, secretary or treasurer

6 STATE OF ILLINOIS,)
7COUNTY. }

10 **A B**.....

§ 38. In each such bank there shall be kept, at all times, a full and correct list of names and residences of its stockholders, and of the number of shares held by

3 each; which list shall be subject to the inspection of the officers authorized to
4 assess property for taxation; and it shall be the duty of the assessor to ascertain
5 and report to the county clerk a correct list of the names and residences
6 of all stockholders in any such bank, with the number and assessed value
7 of all such shares held by each stockholder.

§ 39. The county clerk, to whom such returns are made, shall enter the
2 valuation of such shares in the tax lists, in the names of the respective
3 owners of the same, and shall compute and extend taxes thereon the same
4 as against the valuation of other property in the same locality.

§ 40. The collector of taxes, and the officer or officers authorized to receive
2 taxes from the collector, may, all or either of them, have an action to collect
3 the tax assessed on any share or shares of bank stock from the avails of
4 the sale of such share or shares; and the tax against such share or shares
5 shall be and remain a lien thereon till the payment of said tax.

§ 41. For the purpose of collecting such taxes, it shall be the duty of every
2 such bank, or the managing officer or officers thereof, to retain so much of any
3 dividend or dividends, belonging to such stockholders, as shall be necessary to pay
4 any taxes levied upon their shares of stock, respectively, until it shall be made
5 to appear to such bank or its officers that such taxes have been paid;
6 and any officer of any such bank who shall pay over or authorize the
7 paying over of any such dividend or dividends, or any portion thereof,
8 contrary to the provisions of this section, shall thereby become liable for
9 such tax; and if the said tax shall not be paid, the collector of taxes
10 where said bank is located shall sell said share or shares to pay the same
11 like other personal property. And in case of sale, the provision of law
12 in regard to the transfer of stock, when sold on execution, shall apply to
13 such sale.

§ 42. Every person owning or using a franchise granted by any law of
2 this State, shall in addition to his own property, list the same as personal
3 property, giving the total value thereof.

§ 43. Every person or company engaged in the business of receiving
2 property in pledge, or as security for money or other thing advanced to
3 the pawner or pledger, shall be held to be a pawnbroker, and shall, at
4 the time required by this act, return to the assessor the value of the
5 property, held by him as a pawnbroker, on hand on the first day of May,
6 annually, and taxes shall be charged upon the fair cash value of such
7 property, to such pawnbroker, the same as other property; and any person
8 who shall refuse to make such return, or who shall make a false or in-
9 complete return, shall be deemed guilty of a misdemeanor, and fined not
10 less than twenty-five nor more than five hundred dollars.

§ 44. Real property shall be valued as follows:

2 *First*—Every tract or lot of real property shall be valued at its fair cash
3 value, estimated at the price it would bring at a fair voluntary sale.
4 *Second*—Taxable leasehold estates shall be valued at such price as they
5 would bring at a fair voluntary sale for cash.
6 *Third*—When a building or structure is located on the right of way of
7 any canal, railroad or other company leased or granted for a term of
8 years to another, the same shall be valued at such a price as such build-
9 ing or structure and lease or grant would sell at a fair voluntary sale
10 for cash.
11 *Fourth*—In valuing any real property on which there is a coal or other
12 mine, or stone or other quarry, the same shall be valued at such a price
13 as such property, including the mine or quarry, would sell at a fair volun-
14 tary sale for cash.

§ 45. All real property in this State, subject to taxation under this act,
2 including real estate becoming taxable for the first time, shall be listed to
3 the owners thereof, by such owners, their agents, county clerks or assessors,
4 or the county board, and assessed for the year one thousand eight hundred
5 and eighty-eight, and yearly thereafter, with reference to the amount
6 owned on the first day of May in each year, including all property pur-
7 chased on that day: *Provided*, that no assessment of real property shall

8 be considered as illegal by reason of the same not being listed or assessed
9 in the name of the owners thereof.

§ 46. The owner of property on the first day of May in any year, shall
2 be liable for the taxes of that year. The purchaser of property on the
3 first day of May shall be considered as the owner on that day.

§ 47. When real estate, which is exempt from taxation, is leased to
2 another whose property is not exempt and the leasing of which does not
3 make the real estate taxable, the leasehold estate and the appurtenances
4 shall be listed as the property of the lessee thereof, or his assignee, as
5 real estate.

§ 48. Government lands entered or located on or prior to the first day of May,
2 shall be taxable for that year, and annually thereafter. School lands and lots sold
3 shall be taxable in like manner as government lands. Lands and lots sold by the
4 trustees of the Illinois and Michigan canal shall be taxable from and after the
5 time the full payment therefor is made. Illinois Central railroad lands and
6 lots shall be taxable from and after the time the last payment becomes
7 due. Swamp lands and lots shall become taxable whenever the county
8 sells, conveys, or agrees to convey its title: *Provided*, that canal, Illinois
9 Central railroad and swamp lands and lots shall be, in other respects,
10 governed, as to the time of becoming taxable, the same as government
11 lands.

§ 49. In all cases where any tract or lot of land is divided in parcels
2 so that it cannot be described without describing it by metes and bounds,
3 it shall be the duty of the owner to cause such land to be surveyed and
4 platted into lots. Such plat shall be certified and recorded. The description
5 of real estate, in accordance with the number and description set forth in
6 the plat, aforesaid, shall be deemed a good and valid description of the lot
7 or parcel of land so described.

§ 50. If the owner of any such tract or lot shall refuse or neglect to cause
2 such survey to be made within thirty (30) days after having been notified by

8 the county clerk, by publication of a notice in a newspaper in the county,
4 having general circulation, at least three times, said clerk shall cause such
5 survey to be made and recorded; and the expenses of the publication of such
6 notice and of making such survey shall be added to the tax levied on such
7 real property, and when collected, shall be paid, on demand, to the persons
8 to whom it is due.

§ 51. Any tract of land, not exceeding one-sixteenth of a section, shall
2 be listed in the county where the greater part thereof is situated. When
3 any such tract of land shall be situated equally in two counties, the Auditor
4 shall determine in which county it shall be listed. If there be several
5 tracts similarly situated, the Auditor shall apportion them equally between
6 the counties as nearly as practicable. County clerks may have the actual
7 contents of such tracts lying in their respective counties, surveyed, platted
8 and recorded, in the manner provided for in other cases.

§ 52. The foregoing rule shall apply to lands lying in different towns:
2 *Provided*, the county clerk shall act in such cases, instead of the Auditor.

§ 53. Every person, company or corporation owning, operating or construct-
2 ing a railroad in this State, shall return sworn lists of schedules of the taxable
3 property of such railroad, as hereinafter provided. Such property shall be
4 listed and assessed with reference to the amount, kind, and value, on the
5 first day of May of the year in which it is listed.

§ 54. They shall, in the month of May of the year eighteen hundred and eighty-
2 eight, and at the same time in each year thereafter, when required, make out and
3 file with the county clerks of the respective counties in which the railroad may
4 be located, a statement or schedule showing the property held for right of
5 way, and the length of the main and all side and second tracks and turn-
6 outs in such county, and in each city, town and village in the county,
7 through or into which the road may run, and describing each tract of land,
8 other than a city, town or village lot, through which the road may run,
9 in accordance with United States surveys, giving the width and length of

10 the strip of land held in each tract, and the number of acres thereof.
11 They shall also state the value of improvements and stations located on
12 the right of way. New companies shall make such statement in May next
13 after the location of their roads. When such statement shall have been
14 once made, it shall not be necessary to report the description as herein-
15 before required, unless directed so to do by the county board; but the
16 company shall, during the month of May, annually, report the value of
17 such property by the description set forth in the next section of this act,
18 and note all additions or changes in such right of way, as shall have
19 occurred.

§ 55. Such right of way, including the superstructure of main, side or second
2 track and turnouts, and the stations and improvements of the railroad company
3 on such right of way, shall be held to be real estate for the purposes of
4 taxation, and denominated "railroad track," and shall be so listed and valued;
5 and shall be described in the assessment thereof as a strip of land extending
6 on each side of such railroad track, and embracing the same, together with
7 all the stations and improvements thereon, commencing at a point where such
8 railroad track crosses the boundary line in entering the county, city, town or
9 village, and extending to the point where such track crosses the boundary line
10 leaving such county, city, town or village, or to the point of termination of the
11 same, as the case may be, containing . . . acres, more or less (inserting name of
12 county, township, city, town or village, boundary line of same, and number of
13 acres, and length in feet,) and when advertised or sold for taxes, no other
14 description shall be necessary.

§ 56. The value of the "railroad track" shall be listed and taxed in the several
2 counties, towns, villages, districts and cities, in the proportion that the length
3 of the main track in such county, town, village, district or city bears to the whole
4 length of the road in this state, except the value of the side or second track, and
5 all turnouts, and all station houses, depots, machine shops or other build-
6 ings belonging to the road, which shall be taxed in the county, town,
7 village, district or city in which the same are located.

§ 57. The movable property belonging to a railroad company shall be held
2 to be personal property, and denominated, for the purpose of taxation, "rolling
3 stock." Every person, company or corporation, owning, constructing or operat-
4 ing a railroad in this State, shall, in the month of May, annually, return a
5 list or schedule, which shall contain a correct detailed inventory of all the
6 rolling stock belonging to such company, and which shall distinctly set forth
7 the number of locomotives of all classes, passenger cars of all classes, sleep-
8 ing and dining cars, express cars, baggage cars, horse cars, cattle cars, coal
9 cars, platform cars, wrecking cars, pay cars, hand cars, and all other kinds
10 of cars.

§ 58. The rolling stock shall be listed and taxed in the several counties, towns,
2 villages, districts and cities, in the proportion that the length of the main track,
3 used or operated in such county, town, village, district or city, bears to the
4 whole length of the road used or operated by such person, company or corpo-
5 ration, whether owned or leased by him or them in whole or in part. Said list
6 or schedule shall set forth the number of miles of main track on which said
7 rolling stock is used in the State of Illinois, and the number of miles of main
8 track on which said rolling stock is used elsewhere.

§ 59. The tools and materials for repairs, and all other personal property
2 of any railroad, except "rolling stock," shall be listed and assessed in the
3 county, town, village, district or city, wherever the same may be on the first
4 day of May. All real estate, including the stations and other buildings and
5 structures thereon, other than that denominated "railroad track," belonging to
6 any railroad, shall be listed as lands or lots, as the case may be, in the county,
7 town, village, district or city where the same are located.

§ 60. The county clerk shall return to the assessor of the town or district,
2 as the case may require, a copy of the schedule or list of the real estate (other than
3 "railroad track,") and of the personal property (except "rolling stock,") per-
4 taining to the railroad; and such real and personal property shall be assessed
5 by the assessor. Such property shall be treated in all respects, in regard to
6 assessment and equalization, the same as other similar property belonging to

8 individuals; except that it shall be treated as property belonging to railroads,
6 under the terms "lands," "lots" and personal property.

§ 61. At the same time that the lists or schedules are hereinbefore required
2 to be returned to the county clerks, the person, company or corporation, run-
3 ning, operating or constructing any railroad in this State, shall return to
4 the Auditor of Public Accounts sworn statements or schedules as follows:

6 *First*—Of the property denominated "railroad track," giving the length of
7 the main and side or second tracks and turnouts, and showing the propor-
8 tions in each county, and the total in the State.

9 *Second*—The "rolling stock," giving the length of the main track in each
10 county, the total in this State, and the entire length of the road.

11 *Third*—Showing the number of ties in track per mile, the weight of iron
12 or steel per yard, used in main and side tracks; what joints or chairs are used
13 in track; the ballasting of road, whether gravel or dirt; the number and
14 quality of buildings or other structures on "railroad track;" the length of
15 time iron in track has been used, and the length of time the road has been
16 built.

17 *Fourth*—A statement or schedule showing:

18 1. The amount of capital stock authorized and the number of shares into
19 which such capital stock is divided.

20 2. The amount of capital stock paid up.

21 3. The market value, or if no market value, then the actual value of the
22 shares of stock.

23 4. The total amount of all indebtedness, except for current expenses for
24 operating the road.

25 5. The total listed valuation of all its tangible property in this State.

26 Such schedule shall be made in conformity to such instructions and forms
27 as may be prescribed by the Auditor of Public Accounts.

§ 62. If any person, company or corporation, owning, operating or
2 constructing any railroad, shall neglect to return to the county clerks
3 the statements or schedules required to be returned to them the prop-

erty so to be returned and assessed by the assessor, shall be listed and assessed as other property. In case of failure to make returns to the Auditor, as hereinbefore provided, the Auditor, with the assistance of the county clerks and assessors, when he shall require such assistance, shall ascertain the necessary facts, and lay the same before the State Board of Equalization. In case of failure to make said statements, either to the county clerk or Auditor, such corporation, company or person shall forfeit, as a penalty, not less than one thousand nor more than ten thousand dollars for each offense, to be recovered in any proper form of action, in the name of the People of the State of Illinois, and paid into the State treasury.

§ 63. The Auditor shall annually, on the meeting of the State Board of Equalization, lay before said board the statements and schedules herein required to be returned to him, and said board shall assess such property in the manner hereinafter provided.

§ 64. The county clerk shall procure, at the expense of the county, a record book, properly ruled and headed, in which to enter the railroad property of all kinds, as listed for taxation, and shall enter the valuations as assessed, corrected and equalized, in the manner provided by this act; and against such assessed, corrected or equalized valuation, as the case may require, the county clerk shall extend all the taxes thereon, for which said property is liable; and at the proper time fixed by this act for delivering tax books to the county collector the clerk shall attach a warrant under his seal of office, and deliver said book to the county collector, upon which the said county collector is hereby required to collect the taxes therein charged against railroad property, and pay over and account for the same in the manner provided in other cases. Said book shall be returned by the collector, and be filed in the office of the county clerk for future use.

§ 65. When any railroad company shall make or record a plat of any contiguous lots or parcels of land belonging to it, the same may be described as designated on such plat.

§ 66. The county clerk shall make up for the several towns or districts in his county, in books to be provided for that purpose, the list of lands and lots to be assessed for taxes. When a whole section, half section, quarter section, or half-quarter section, belongs to one owner, it shall, at the request of the owner or his agent, be listed as one tract, and when all lots in the same block belong to one owner, they shall, at the request of the owner or his agent, be listed as a block. When several adjoining lots in the same block belong to the same owner, they shall, at the request of the owner or his agent, be included in one description: *Provided*, that when any tract or parcel of real estate is situated in more than one town, or in more than one school, road or other district, the portion thereof in each town or district shall be listed separately. Said clerk shall enter in the proper column, opposite the respective tracts or lots, the name of the owner thereof, so far as he shall be able to ascertain the same. Said books shall contain columns in which may be shown the number of acres or lots improved, and the value thereof; the number of acres or lots not improved, and the value thereof; the total value; and such other columns as may be required.

§ 67. The books for the assessment of property in counties not under township organization shall be made up by congressional townships, but parts or fractional townships, less than full townships, may be added to full townships, at the discretion of the county board. In counties under township organization, said books shall be made to correspond with the organized townships. Separate books shall be made for the assessment of property and the collection of all taxes and special assessments thereon, within the corporate limits of cities, towns and villages, if ordered by the county board.

§ 68. The county clerk shall cause such lists to be carefully compared with the lists of taxable real property on file in his office.

§ 69. The county clerk shall cause such assessment books, and all blanks necessary to be used by the assessor in the assessment of real and personal

8 property, to be in readiness for delivery to the assessor on or before the first
4 day of May in each year.

§ 7. It shall be the duty of each county, town or district assessor to call
2 on the county clerk on or before the first day of May in each year, and receive
3 the necessary books and blanks for the assessment of property, and the failure
4 of any assessor so to do shall be deemed sufficient cause to declare his office
5 vacant, and for the appointment of a successor.

§ 71. If after the delivery of such books to any assessor in any year, the
2 clerk shall receive an abstract showing the entry of any lands or lots not
3 contained in such books, it shall be his duty to furnish a list of the same
4 to the proper assessor within five days after such abstract is received.

§ 72. If any assessor, for any cause whatever, shall be unable to perform
2 the duties required of him within the time designated by law, he may, by
3 and with the advice and consent of the chairman of the county board,
4 or board of town auditors, as the case may require, appoint one or
5 more suitable persons to act as deputies to assist him in making the
6 assessment, and may designate the district, or portion of the township,
7 county, city, village or town in which such deputy or deputies are authorized
8 to list and assess property. Such deputy assessors shall make their returns
9 to the assessor.

§ 73. Any person elected or appointed assessor shall on or before the
2 first day of May after his election or appointment, file a bond with the
3 county clerk, in a penal sum, to be fixed by the county board, of not
4 less than one thousand dollars; with two or more responsible securities to be
5 approved by the township supervisor or county board, which bond shall be made
6 payable to the people of the State of Illinois, and conditioned for the faithful
7 discharge of all his duties as assessor of the county, and especially that he
8 will in no case wilfully or knowingly omit from assessment, or assess and
9 value for taxation, any of the taxable property in said county, real or personal,
10 other than its true and fair cash value, which bond when approved, shall at

11 once be recorded by the county clerk in a book to be kept in his office
12 for that purpose, and also by the recorder in his office.

§ 74. Every assessor or deputy assessor, before entering upon the duties of
2 his office, shall take and subscribe the oath required by the constitution.

§ 75. If any assessor shall fail to take the oath required by this act,
2 his office shall become vacant; and in such case, or in case the office
3 of assessor is vacant for any cause, the county board or town board, as the
4 case may be, shall fill the vacancy by the appointment of some suitable per-
5 son, who shall qualify and discharge the duties of such assessor till the
6 office is otherwise filled, as required by law.

§ 76. Assessors shall, between the first day of May and the fifteenth day
2 of August of each year, actually view and determine, as nearly as prac-
3 ticable, the fair cash value of each tract or lot of land listed for taxation,
4 and set down in proper columns, in the book furnished him, the
5 value of each tract or lot improved, the value of each tract or lot not
6 improved, and the total value. He shall also set down, in separate columns,
7 the number of acres in wheat, corn, oats, meadow, and other field pro-
8 ducts, in inclosed pastures, orchards and woodlands, whether inclosed or not
9 in that year.

§ 77. If the assessor discovers any real property, subject to taxation, which
2 has not been returned to him by the clerk, he shall list and assess such
3 property.

§ 78. The assessor or his deputy shall also, between the first day of May
2 and the fifteenth day of August, proceed to take a list of the tax-
3 able personal property in his county, town or district, and assess the
4 value thereof in the manner following, to-wit: He shall call at the
5 office, place of doing business, or residence of each person required by
6 this act to list property, and list his name, and shall require such person
7 to make a correct statement of his taxable property in accordance with
8 the provisions of this act; and the person listing the property shall enter
9 a true and correct statement of such property in the form prescribed by
10 this act, which shall be signed and sworn to, to the extent required by

11 this act, by the person listing the property, and delivered to the assessor;
 12 and the assessor shall thereupon assess the value of such property and enter
 13 the same in his books: *Provided*, if any property is listed or assessed on or
 13 after the fifteenth day of August, and before the return of the assessor's
 15 books, the same shall be as legal and binding as if listed and assessed before
 16 that time.

§ 79. If any person required by this act to list property shall be
 2 sick or absent when the assessor calls for a list of his property, the
 3 assessor shall leave at the office or usual place of residence or business
 4 of such person a written or printed notice, requiring such person to
 5 make out and leave at the place named by said assessor, on or before
 6 some convenient day named therein, the statement or schedule required by
 7 this act. The date of leaving such notice and the name of the person
 8 required to list the property shall be carefully noted by the assessor in a
 9 book to be kept for that purpose.

§ 80. The assessor may examine on oath any person whom he may sup-
 2 pose to have knowledge of the amount or value of the personal property
 3 which the person so refusing is required to list. The assessor may take
 4 any proper form of action to compel the attendance of a witness.

§ 81. It shall be the duty of assessors when making assessments of per-
 2 sonal property, to designate the number of school district or districts in
 3 which each person assessed is liable for tax; which designation shall be
 4 made by writing the number of the district opposite each assessment,
 5 in a column provided for that purpose in the assessment book.

§ 82. When the personal property of any person is assessable in several
 2 school districts, the amount in each shall be assessed separately, and the
 3 name of the owner placed opposite each amount.

§ 83. In all cases of failure to obtain a statement of personal property,
 2 from any cause, it shall be the duty of the assessor to ascertain the amount
 3 and value of such property, and assess the same as he believes to be
 4 the fair amount and value thereof.

§ 84. The assessor, when requested, shall deliver to the person assessed
 2 a copy of the statement of property hereinbefore required, showing the
 3 valuations of the assessor of property so listed; which copy shall be signed
 4 by the assessor.

§ 85. Assessors, in the execution of their duties, shall use the forms and
 2 pursue the instructions which shall from time to time be transmitted to
 3 them by the Auditor, or that may be furnished to them by the county clerk
 4 or other officer, in pursuance of law.

§ 86. In counties under township organization, the assessor, clerk and
 2 supervisor of the town shall meet on the sixteenth day of August in each
 3 year, and shall review the assessment of their town, item by item, and if
 4 necessary to adjust equalization of the assessment of property, as between
 5 individuals, shall have power to send for persons and papers, subpoena wit-
 6 nesses and hear evidence. Any person considering himself aggrieved, or
 7 who shall complain that the property of another is erroneously assessed,
 8 may come before said board and enter his complaint, and it shall be the
 9 duty of said board to carefully investigate all such complaints, and if it
 10 shall appear to them that any person, company or corporation is erroneously
 11 assessed, they shall have power to alter and change such assessment in such
 12 manner as may appear to them just, and to raise or lower the aggregate
 13 assessment of the town as to them may seem proper. No complaint
 14 that another is erroneously assessed shall be acted upon until the person
 15 so assessed, or his agent, shall be notified of such complaint in writing,
 16 delivered to him or left at his usual place of residence, if a resident of the
 17 county. Any two of said officers meeting are authorized to act, and they
 18 may adjourn from day to day till they shall have finished the hearing of all
 19 cases presented on said day. Property assessed after the fifteenth day of
 20 August shall be subject to complaint to the county board, subject to the
 21 rules specified in this section.

§ 87. The assessor shall cause at least ten days' previous notice of the
 2 time and place of such meeting to be given, by posting notices in at least
 3 three public places in such town.

§ 88. The failure to give such notice or hold said meeting shall not vitiate such assessment, except as to the excess of valuation or tax thereon shown to be unjustly made or levied.

§ 89. The assessor shall add up and note the aggregate of each column in his assessment books, of real and personal property; and shall also add in each book, under proper headings, a tabular statement, showing the footing of the several columns upon each page; and shall add up and set down under the respective headings the totals of the several columns. When an assessor returns several assessment books of real or personal property, he shall, in addition to the tabular statement herein required, return a statement, in like form, showing the totals of all the books.

§ 90. The assessor shall, on or before the first day of September of the year for which the assessment is made, return his assessment books to the county clerk, verified by his affidavit, substantially in the following form:

STATE OF ILLINOIS, }
.....COUNTY, } ss.

I,, assessor of, do solemnly swear that the book to which this is attached contains a correct and full list of all the real property (or "personal property," as the case may be), subject to taxation in, so far as I have been able to ascertain the same; and that the assessed value set down in the proper column, opposite the several kinds and descriptions of property, is, in each case, the fair cash value of such property, to the best of my knowledge and belief, (where the assessment has been corrected by a town board, "except as corrected by the town board,") and that the footings of the several columns in said book, and tabular statement returned herewith, are correct, as I verily believe.

§ 91. The assessor shall at the same time deliver to the county clerk all the schedules and statements of personal property which shall have been received by him, indorsed with the name of the person whose property is listed, and arranged in alphabetical order; and the clerk shall preserve the same in his office for two years thereafter.

§ 92. The several assessment books shall be filed in the office of the county clerk, and there remain open to the inspection of all persons: *Provided*, that the county clerk shall, in the month of April, deliver to the town clerks of the several towns in the county the assessment books of their respective towns for the previous year; such books to be returned by the town clerks to the county clerk's office before the first of September of the same year.

§ 93. The pay of assessors and deputy assessors shall, from time to time, in counties not under township organization, be determined and fixed by the county board, and in counties under township organization, by the town board of auditors. Such pay shall be for the time necessarily employed in making the assessment, to be paid county assessors and their deputies out of the county treasury, and town assessors and their deputies out of the town treasury.

§ 94. Assessors and deputy assessors shall make out their accounts in detail, giving the date of each day which they shall have been employed, which account they shall verify under oath. The assessor shall not be entitled to compensation until he shall have filed the lists, schedules, statements and books appertaining to the assessment of property for such year, in the office of the county clerk, the books to be accurately made and added up. An assessor or deputy assessor shall not be entitled to pay unless he has performed the labor and made returns in strict compliance with law.

§ 95. The clerk, upon receipt of the assessment books of real property, shall correct all errors of whatsoever kind which he may discover, and add the name of the owner, if known, when the same does not already appear, and the description of all real property which has been omitted by the assessor, and is liable to taxation.

§ 96. If the assessor has listed and assessed any real property not returned by the auditor to the clerk, the clerk shall immediately advise the auditor thereof, who shall ascertain if the same is taxable, and advise the clerk. If taxable, the clerk shall enter the same in the list of taxable property in his office; if not, he shall correct the assessment books.

§ 97. The county board, at a meeting to be held for the purpose contemplated in this section, on the second Tuesday in September, annually, after the return of the assessment books, shall—

First—Assess all such lands or lots as have been listed by the county clerk, and not assessed by the assessor. Said board may make such alterations in the descriptions of real property as it shall deem necessary.

Second—On the application of any person considering himself aggrieved, or who shall complain that the property of another is assessed too low, they shall review the assessment and correct the same as shall appear to be just. No complaint that another is assessed too low shall be acted upon until the person so assessed, or his agent, shall be notified of such complaint, if a resident of the county.

Third—To hear and determine the application of any person who is assessed on property claimed to be exempt from taxation. If the board shall decide that any such property is not liable to taxation, and the question as to the liability of such property to taxation has not been previously determined, as hereinafter provided, the decision of said board shall not be final, unless approved by the Auditor of Public Accounts; and it shall be the duty of the county clerk, in all such cases, to make out and forward to the Auditor a full and complete statement of all the facts in the case. If the Auditor is satisfied that such property is not legally liable to taxation, he shall notify the clerk of his approval of the decision of the board, and the said clerk shall correct the assessment accordingly. But if the Auditor is satisfied that such property is liable to taxation, he shall advise the clerk of his objection to the decision of the board, and give notice to said clerk that he will apply to the Supreme Court in either division, specifying at what term thereof, for an order to set aside and reverse the decision of the county board. Upon the receipt of such notice, the clerk shall notify the person making the application aforesaid. It shall be the duty of the Auditor to file in the Supreme Court a certified statement of the facts certified by the clerk, as aforesaid, together with his objections thereto, and the court shall hear and determine the matter as the right of the case may be. If the board shall decide that

33 the property so claimed to be exempt is liable to be taxed, and the party
 34 aggrieved shall at the time pray an appeal, a brief statement in the case shall
 35 be made by the clerk, and transmitted to the Auditor, who shall present the
 36 case to the Supreme Court in like manner as hereinbefore provided. In
 37 either case, the collection of the tax shall not be delayed thereby; but in
 38 case the property is decided to be exempt, the tax shall be abated or
 39 refunded.

40 *Fourth*—It shall ascertain whether the valuations in one town or district
 41 bear just relation to all the towns or districts in the county; and may
 42 increase or diminish the aggregate valuation of property in any town or
 43 district, by adding or deducting such sum upon the hundred as may be
 44 necessary to produce a just relation between all the valuations of property
 45 in the county; but shall, in no case reduce the aggregate valuation of all
 46 the towns or districts; neither shall they increase the aggregate valuation
 47 more than twenty-five per cent above the aggregate valuation as made and
 48 returned by the county, town or district assessors. It may consider lands,
 49 town or city lots, personal property, and railroad property (except
 50 "railroad track" and "rolling stock"), separately, and determine a separate
 51 rate per cent. of addition or reduction for each of said classes of prop-
 52 erty, as may be necessary to a just equalization of the assessed value
 53 of said classes of property within the respective towns, and of the same
 54 between the several towns or districts in the county. If the county board
 55 board of any county shall find the assessment of the county so unequal as
 56 render it impracticable to equalize such assessment fairly, they may set aside
 57 the assessment of the whole county, or of any township or townships
 58 therein, and order a new assessment, with instructions to the assessor or
 59 assessors to increase or diminish the aggregate assessment of such county
 60 or township, as the case may be, by such an amount as said board may
 61 deem right and just in the premises, and consistent with this act

§ 98. That in any case where the county board of any county shall have failed
 2 to complete the equalization of assessments, as returned for any year, at
 3 the meeting held on the second Tuesday in September, or shall have failed at

4 such meeting to act upon a complaint that another is erroneously assessed,
 5 the equalization of such assessment, or action upon such complaint by the
 6 county board at any subsequent meeting thereof, is hereby declared legal
 7 and valid, and the taxes extended thereon shall be and remain a lien on
 8 the property against which they are extended, to the same extent as if
 9 such equalization and action upon complaint had been had and taken on
 10 the second Tuesday in September.

§ 99. On or before the fourth Monday of September, annually, it shall be
 2 the duty of the county clerks, upon the receipt of the assessment books and
 3 equalization of the board, to make out and transmit to the Auditor an abstract
 4 of the assessment of property, showing the number, value and average value
 5 of each kind of enumerated property, as shown by the assessment and equali-
 6 zation of the county board; the value of each item of unenumerated prop-
 7 erty, and total value of personal property; the length of main track,
 8 the length of side track, and the numbers, values and average values
 9 of each separate item of railroad property; the number of acres,
 10 value and average value of improved lands; the number of acres, value
 11 and average value of unimproved lands; the total number of acres, total value
 12 and average value, per acre, of all lands; the number, value and average value
 13 of improved town and city lots; the number, value and average value of
 14 unimproved town or city lots; the total number of lots, total value and
 15 average value of all lots, and the total value of all property; the number of
 16 acres in cultivation of wheat, corn, oats, meadow, and other field products in
 17 inclosed pasture, orchards and woodland, whether inclosed or not in that
 18 year. Said abstracts shall be made out on blanks, which it shall be the duty
 19 of the Auditor to furnish the county clerks for that purpose. The values to
 20 to be given in said abstract shall be the assessed valuations, as equalized by the
 21 county board, except in the case of railroad property denominated "railroad
 22 track" and "rolling stock," the value of which shall be given as returned by
 23 the railroad company to the county clerk. The county clerk shall, at the
 24 same time, and accompanying said abstract, furnish a detailed statement of
 25 the railroad property denominated "railroad track" and "rolling stock,"

26 reported by each road located in or through their counties. If there are any
 27 roads so located that have not made their reports as required by this act,
 28 the clerk shall report the fact, giving the name of such railroad.

§ 100. It shall be the duty of the county clerks, in case of failure of any
 2 assessor to make return of assessments, or of the county board to equalize the
 3 same within the time specified in this act, to transmit a statement of the
 4 assessment as equalized in all the towns or districts from which returns have
 5 been received, together with a statement of the amount of taxable property
 6 assessed and as equalized in the defaulting towns or districts for the previous
 7 year.

§ 101. The State Board of Equalization shall consist of one member from
 2 each congressional district in the State, elected as hereinafter provided, and the
 3 Auditor of Public Accounts. The members of the now existing State Board
 4 of Equalization shall discharge the duties devolved upon said board until the
 5 general election in November 1888.

§ 102. The qualified electors of each congressional district shall, at the general
 2 election in November, eighteen hundred and eighty-eight, and every four years
 3 thereafter, elect one of their number to serve as a member of said Board of Equali-
 4 zation, who shall hold his office for four years, and until his successor is elected
 5 and qualified. The returns of the poll-books and certificates of election
 6 shall be governed by the laws regulating the election of members of Con-
 7 gress; and in case of vacancy occurring in said board by death, resignation
 8 or otherwise, it shall be the duty of the Governor to appoint some person
 9 (having the qualifications of an elector in the district in which such vacancy
 10 occurs) to fill the same until the next regular election for members of
 11 said board.

§ 103. Each member of said board, before entering upon the duties of
 2 his office, shall take the oath (or affirmation) prescribed by the constitution
 3 of this State.

§ 104. At the first meeting of said board, quadrennially, it shall organize
 2 by selecting one of its members as chairman, and appointing a secretary;

3 and may, from time to time, select such employees as may be deemed
4 necessary. The secretary shall take the oath prescribed by the constitution.

§ 105. It shall be the duty of the secretary of said board, under the
2 direction of the Auditor of Public Accounts, to compile the abstracts of
3 assessments received from county clerks, into tabular statements, convenient
4 for the use of the board; which statements and the original abstracts shall
5 be submitted to the board on the first day of its session in each year,
6 or as soon thereafter as the board is organized. The secretary shall per-
7 form such duties in vacation as shall be assigned to him by the board.

§ 106. Said board shall assemble at the State capital on the third Tues-
2 day in the month of October, annually, and examine the abstracts of property
3 as assessed and equalized for taxation in the several counties of this State,
4 as returned to the Auditor, and shall equalize the assessments as herein-
5 after provided; but said board shall not reduce the aggregate valuation
6 in the State, as equalized; neither shall it increase said aggregate valua-
7 tion, except in such an amount as may be reasonably necessary to a just
8 equalization, and not exceeding twenty-five per cent. on such aggregate valu-
9 ation; but this rule shall not apply to railroad property.

§ 107. Said board, in equalizing the valuation of property as listed, assessed
2 and equalized in different counties, shall consider the following classes of
3 property separately, viz: personal property; railroad property; lands, and town
4 and city lots; and upon such consideration, determine such rates of addition
5 to or deduction from the valuation of each of said classes of property in each
6 county, or to or from the aggregate equalized value of each of said classes
7 in the State, as may be deemed by the board to be equitable and just—such
8 rates being in all cases even and not fractional; and such rates, as finally
9 determined by said board, shall not be combined.

§ 108. In equalizing the value of personal property between the several
2 counties, said board shall cause to be obtained the State averages of the sev-
3 eral kinds of enumerated property, from the aggregate footings of the num-
4 ber and value of each; and the value of the several kinds of enumerated
5 property in each county shall be obtained at those average values; and

6 the value of enumerated property thus obtained, as compared with the
7 assessed value of such property, as equalized in each county, shall be
8 taken by said board to obtain a rate per cent. to be added to or deducted
9 from the total value of personal property in each county: *Provided*, that
10 whenever, in the opinion of the board, it is necessary, to a more just and
11 equitable equalization of personal property, that a rate per cent. be added to
12 or deducted from the value thus obtained in any one or more of the counties,
13 said board shall have the right so to do; but the rate per cent. hereinbefore
14 required shall first be obtained to form the basis upon which the equalization
15 of personal property shall be made.

§ 109. The State Board of Equalization shall assess the capital stock of
2 each company or association, respectively, now or hereafter incorporated
3 under the laws of this State, except as otherwise in this act provided.
4 The respective assessments so made (other than of the capital stock of rail-
5 road and telegraph companies) shall be certified by the Auditor, under direc-
6 tion of said board, to the county clerk of the respective counties in which
7 such companies or associations are located, and said clerk shall extend the
8 taxes for all purposes on the respective amounts so certified the same as may
9 be levied on the other property in such towns, districts, villages or cities in
10 which such companies or associations are located.

§ 110. Said board shall also assess the railroad property denominated in this
2 act as "railroad track" and "rolling stock;" and said board is hereby given
3 the power and authority, to send for persons and papers, and administer
4 oaths and examine witnesses. The amount so determined and assessed
5 shall be certified by the Auditor, to the county clerks of the proper coun-
6 ties. The county clerk shall, in like manner, distribute the value, so certi-
7 fied to him by the Auditor, to the county and to the several towns,
8 districts, villages and cities in his county entitled to a proportionate value
9 of such "railroad track" and "rolling stock." And said clerk shall extend
10 taxes against such values, the same as against other property in such towns,
11 districts, villages and cities.

§ 111. The aggregate amount of capital stock of railroad companies assessed by said board shall be distributed proportionately by said board to the several counties, in like manner that the property of railroads denominated "railroad track" is distributed. The amount so determined shall be certified by the Auditor to the county clerks of the proper counties. The county clerk shall, in like manner, distribute the value, so certified to him by the Auditor, to the county, and to the several towns, districts, villages and cities in his county entitled to a proportionate value of such capital stock. And said clerk shall extend taxes against such values the same as against other property in such towns, districts, villages and cities.

§ 112. Lands shall be equalized by adding to the aggregate value thereof, as equalized, in every county in which said board may believe the valuation to be too low, such rate per centum as will raise the same to its proper value, and by deducting from the aggregate value thereof, in every county in which said board may believe the valuation to be too high, such per centum as will reduce the same to its proper value. Town and city lots shall be equalized in the same manner herein provided for equalizing lands, and, at the option of said board, may be combined and equalized with lands.

§ 113. When said board shall have separately considered the several classes of property as hereinbefore required, the results shall be combined into one table, and the same shall be examined, compared and perfected, in such manner as said board shall deem best to accomplish a just equalization of assessments throughout the State, preserving, however, the principle of separate rates for each class of property.

§ 114. In all cases of partial return from any county where the number of defaulting towns or districts do not exceed one-third of the whole number of towns or districts in the county, the Board of Equalization may estimate the valuation in the towns or districts from which returns have not been received, and may equalize the total valuation as in other cases. In cases where the defaulting towns or districts exceed in number one-third of the whole number of towns or districts in the county, and in all cases of failure on the part of the county clerk to furnish the proper returns of the assessment of his county to the

9 Auditor prior to or during the meeting of the Board of Equalization, in
 10 each year, said board may, by order, authorize the Auditor to equalize the
 11 assessment of such county when full returns have been received by him.

§ 115. When said board shall have completed its equalization of assessments
 2 for any year, the chairman and secretary shall certify to the Auditor the rates
 3 finally determined by said board to be added to or deducted from the valuation of
 4 each class of property in the several counties, and also the amounts assessed
 5 by said board; and it shall be the duty of said Auditor, under his seal of
 6 office, to report the action of the board to the several county clerks, imme-
 7 diately after the adjournment of said board.

§ 116. A report of the proceedings of said Board of Equalization shall be
 2 published annually, in pamphlet form, and five thousand copies thereof printed,
 3 of which number each member shall be entitled to fifty copies, the Auditor to
 4 one thousand copies and the remainder thereof shall be distributed by the Sec-
 5 retary of State to the several counties, in the proportion usual in similar cases. Said
 6 distribution shall be made by mail or express immediately upon the receipt of
 7 said report from the public printer, the cost of such distribution to be paid
 8 by the Secretary of State out of the appropriation for incidental expenses.

§ 117. The Secretary of State shall furnish such stationery, printing, fuel,
 2 lights and rooms as may be necessary for the transaction of the busi-
 3 ness of said board. Each member of said board shall receive for his
 4 services the sum of five dollars per day during its sessions, and ten cents
 5 per mile for each mile necessarily traveled in going to and returning
 6 from the seat of government, to be computed by the Auditor of Public
 7 Accounts, and no other allowance or emolument, directly or indirectly, for any
 8 purpose whatever, except the sum of ten dollars per session to each
 9 member, which shall be in full for postage, newspapers, and all other inci-
 10 dentals and perquisites. The pay and mileage allowed to each member of
 11 said board and the pay allowed to its secretaries and employes, shall be cer-
 12 tified by the chairman of the board to the Auditor of Public Accounts, who
 13 shall issue his warrants on the State Treasurer therefor. Said board may
 14 employ one page, at two dollars per day; two secretaries, at five dollars per

15 day each; and one janitor or doorkeeper, at three dollars per day. Two-thirds
16 of the whole number of members shall constitute a quorum, and said board
17 may adjourn from time to time until the business before it is disposed of.

RATES OF TAXATION.

§ 118. All rates for taxes hereinafter provided for shall be extended by
2 the county clerk on the assessed valuation of property as equalized and as-
3 sessed by the State Board of Equalization.

FOR STATE PURPOSES.

§ 119. The Governor, Auditor and Treasurer shall annually, on the com-
2 pletion of the assessment and equalization of property, ascertain the rate per
3 cent. required to produce the amount of taxes levied by the General Assembly.

§ 120. There shall be annually assessed and collected, at the same
2 time and in the same manner as other State taxes, such rate of
3 tax on the equalized valuation of the property of this State as is or may be
4 provided by the laws concerning free schools, which tax shall be denominated
5 the "State School Tax," and the moneys arising therefrom be distributed in
6 such manner as is or may be provided by the laws of this State concerning
7 free schools; and no part of the fund raised by the aforesaid tax shall be
8 diverted to or used for any other purpose than the support and maintenance
9 of free schools in this State.

§ 121. The Auditor shall, annually, compute and certify to the county
2 clerks such separate rates per cent. as will produce the net amounts of State
3 taxes authorized to be levied.—

4 *First*—For revenue purposes, to be designated "Revenue Fund."

6 *Second*—For State school purposes, to be designated "State School Fund."

7 *Third*—For such other taxes as may be required by law to be levied
8 by him.

FOR COUNTY PURPOSES.

§ 122. The county board of the respective counties shall, annually, at the
2 September session, determine the amounts of all taxes to be raised for county
3 purposes, subject to the following limitations:

LIMITATIONS.

§ 123. Taxation in this State for the various purposes hereinafter named,

2 except for indebtedness existing before the constitution was adopted, shall
3 not exceed, upon every hundred dollars of valuation—

4 For all county purposes, exclusive of road and bridge purposes, to be
5 imposed by the county board, twenty-five cents.

6 For all city, incorporated town and village purposes, except school pur-
7 poses, to be imposed by the proper corporate authorities, fifty cents.

8 For township purposes, (except for debts incurred prior to the adoption
9 of this law, and for interest on the same,) such rate as may be determined
10 by the vote of electors at the annual town meeting, not exceeding ten
11 cents.

12 For educational purposes, to be imposed by the proper authorities, eighty
13 cents.

14 For school building purposes, to be imposed when authorized by law, by
15 the proper school authorities, eighty cents.

16 For roads and bridges, to be imposed by the proper authorities, for ordinary
17 purposes, fifteen cents; for all other purposes, one-third of the several rates now
18 allowed to be imposed under all the several restrictions provided for by law;
19 and when any incorporated city, town or village includes an entire township
20 the township authorities shall not levy any tax for road or bridge purposes.

21 For all park purposes, one-third of the several rates now allowed to be
22 levied by the proper authorities, under all the restrictions now provided for
23 by law: *Provided*, that the above limitations, in all cases where the tax,
24 levied by the proper authorities, is based upon the assessment of the pre-
25 vious year, as now provided by law, shall not apply to such levies made
26 for the years 1887 and 1888.

§ 124. Any county, city, town, school district, or other municipal cor-
2 poration having power to levy taxes may submit to the voters thereof, at a
3 general or special election, a proposition to increase the tax levy for the current
4 year, not exceeding, however, fifty per cent. of the respective rates provided by

5 this act, stating in the election notice all the purposes for which the increase is
6 needed; and if a majority of the legal voters to whom the proposition is so sub-
7 mitted, vote for the same, it shall be lawful to levy the tax so authorized, for that
8 year only.

§ 125. No county, city, township, school district, or other municipal corpora-
2 tion, shall be allowed to become indebted in any manner or for any purpose, to
3 an amount, including existing indebtedness, in the aggregate exceeding two
4 per centum on the value of the taxable property therein, to be ascertained by
5 the last assessment for State and county taxes previous to the incurring of
6 such indebtedness.

TOWNS, CITIES, ETC.

§ 126. The proper authorities of towns, townships, districts and incorpor-
2 ated cities, towns and villages, collecting taxes under the provisions of this
3 act, shall annually, on or before the second Tuesday in August, certify to
4 the county clerk the several amounts which they severally require to be raised
5 by taxation, anything in their respective charters, or in acts heretofore
6 passed by the General Assembly of this State, to the contrary notwith-
7 standing.

COLLECTOR'S BOOKS—EXTENDING RATES.

§ 127. The county clerk shall, annually, make out for the use of col-
2 lectors, in books to be furnished by the county, correct lists of taxable
3 property, as assessed and equalized.

§ 128. In counties not under township organization, such book shall be
2 made up by congressional townships; but parts of fractional townships, less
3 than full townships, may be added to full townships, at the discretion of
4 the county board. In counties under township organization, said books shall
5 be made to correspond with the organized townships. Separate books may
6 be made for the collection of all taxes within the corporate limits of cities,
7 towns and villages. This section shall not be construed to interfere with
8 the tax books provided for in this act, for the use of county collectors,

9 for collecting all taxes charged against railroad property and the capital
10 stock of telegraph companies.

§ 129. The respective county clerks shall cause the collectors' books to
2 be properly ruled for the several classes of property, providing for each class
3 three columns for values—the first to show the assessed valuation; the
4 second to show the valuation as corrected and equalized by the county
5 board; and the third to show the valuation as equalized or assessed by
6 the State Board of Equalization. Said books to contain proper columns
7 for the extension of the several kinds of taxes and other purposes.

§ 130. Said clerks shall extend the rates of addition or deduction or-
2 dered by the county board and State Board of Equalization, in the
3 several columns provided for that purpose. The rates per cent. ordered by
4 the State Board of Equalization shall be extended on the assessed
5 valuation of property, as corrected and equalized by the county board.
6 In all cases of extension of valuations, where the equalized valuation shall
7 happen to be fractional, the clerk shall reject all such fractions as may
8 fall below fifty cents; fractions of fifty cents or more shall be extended as
9 one dollar.

§ 131. The said clerks shall estimate and determine the rate per cent.
2 upon the proper valuation of property in the respective towns, townships,
3 districts and incorporated cities, towns and villages in their counties, that
4 will produce, within the proper divisions of such counties, not less than
5 the net amount of the several sums that shall be required by the county
6 board, or certified to them according to law.

§ 132. All State and county taxes shall be extended by the respective county
2 clerks upon the property in their counties, upon the valuation produced by the
3 equalization and assessment of property by the State Board of Equalization.
4 Town, district, village, city and other taxes shall also be extended against such
5 assessed and equalized valuation of property within their respective jurisdiction.
6 In the extension of taxes, the fraction of a cent shall be extended as one
7 cent.

§ 133. In all cases where any real property has heretofore been or may hereafter be forfeited to the State for taxes, it shall be the duty of the clerk, when he is making up the amount of tax due on such real property for the current year, to add the amount of back tax, interest, penalty and printers' fees remaining due on such real property with one year's interest at twenty-five per cent. to the tax of the current year, and the aggregate amount so added together shall be collected in like manner as the tax on other real property for that year may be collected: *Provided*, that the county clerk shall first carefully examine said list, and strike out therefrom all errors, and otherwise make such corrections as may be necessary with respect to such property or tax.

§ 134. When the books or lists for the collectors are completed, the county clerk shall make a complete statement of the assessment and taxes charged, on blanks, and in conformity to the instructions furnished to him by the Auditor. The clerk shall record said statement, and forward it, properly certified, to the Auditor.

§ 135. It shall be the duty of the county clerk to make, in each collector's book, a certificate of the rate of deduction or addition determined by the State Board of Equalization in the county to which such books shall pertain; and also the rate of addition or deduction determined by the county board in the town, district, city or village to which such book shall pertain.

§ 136. To each collector's book a warrant, under the hand and official seal of the county clerk, shall be annexed, commanding the collector to collect from the several persons named in said book the several sums entered in the column of totals opposite their respective names. The warrant shall direct the collector to pay over the several kinds of taxes that may be collected by him to the respective officers entitled thereto, less the compensation for collection allowed him by law. [As amended by an act, as approved June 2, 1881.] [See §§ 137, 138.]

QUALIFICATION OF TOWN AND DISTRICT COLLECTORS.

§ 137. Every town or district collector, before he enters upon the duties of his office, and within eight days after he receives notice of the amount of taxes to be collected by him, shall execute a bond, with two or more securities, to be approved by the county board or supervisor and town clerk of his town, as the case may require, in double the amount of such taxes, conditioned for the faithful execution of his duties as such collector. Signatures to such bond signed with a mark shall be witnessed, but in no other case shall witness be required. Said bond shall be, substantially, in the following form, to-wit:

Know all men by these presents, that we, A B, of the of in the county of in the State of Illinois, as town (or district) collector, and C D and E F, of the said county and State, as securities, are held and firmly bound unto the People of the State of Illinois in the penal sum of for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents. Signed and sealed this day of A. D. 18..

The condition of the foregoing bond is such, that if the above bound A B shall perform all the duties required to be performed by him as collector of the taxes for the year 18.. in the town (or district) of in the county of Illinois, in the time and manner prescribed by law, and when he shall be succeeded in office shall surrender and deliver over to his successor in office all books, papers and moneys appertaining to his said office, then the foregoing bond to be void; otherwise to remain in full force.

A B, [SEAL.]
C D, [SEAL.]
E F, [SEAL.]

He shall also take and subscribe an oath, to be endorsed on the back of the bond, substantially as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully

31 discharge the duties of the office of town (or district) collector according to
32 the best of my ability.

§ 138. The chairman of the county board (or town supervisor, as the case
2 may require,) shall, within six days thereafter, file such bond, with such ap-
3 proval endorsed thereon, in the office of the recorder, who shall record the
4 same, including the oath, in a separate book to be provided for the purpose,
5 and when recorded shall be filed in the office of the county clerk by the re-
6 corder. Said bond, when so filed for record, shall be a lien against the real
7 estate of such town or district collector, until he shall have complied with
8 the conditions thereof.

DELIVERY OF COLLECTOR'S BOOKS—WARRANTS.

§ 139. The respective county clerks shall, on or before the twentieth
2 day after the first day of January, annually, or as soon there-
3 after as the collectors are duly qualified, deliver to them the books for the
4 collection of taxes; and it shall be the duty of the collectors, on or before said
5 day, or as soon thereafter as they are qualified, to call at the clerk's office
6 and receive said books. The tax book provided for collecting all taxes charged
7 against railroad property and the capital stock of telegraph companies, shall
8 be delivered to the county collector within the same time, annually, or as
9 soon thereafter as he is qualified.

§ 140. To each town or district collector's book, a warrant,
2 under the hand of the county clerk and seal of his office, shall be
3 annexed, commanding such town or district collector to collect from the sev-
4 eral persons named in said town or district collector's book, the several sums
5 of taxes therein charged opposite their respective names.

§ 141. In all cases, the warrant shall authorize the town or district collector,
2 in case any person in such collector's book shall neglect or refuse to pay
3 his personal property tax, to levy the same by distress and sale of the
4 goods and chattels of such person; and it shall require all payments therein
5 specified to be made by such town or district collector on or before the
6 tenth day of March next ensuing.

§ 142. The warrant shall direct the town or district collector, after deducting the compensation to which he may be legally entitled, to pay over to the proper officers, the amount of tax collected for the support of highways and bridges; and to the supervisor of the town, the moneys which shall have been collected therein to defray town expenses; to the proper school officers, the district school tax; to the city or incorporated town or village treasurer, or other proper officer, the taxes or special assessments collected by him for such city or incorporated town or village, or others, as often, and at such times as may be demanded by the proper officer; and to the county collector, the county tax and the taxes payable to the State treasury collected by him.

§ 143. On the delivery of the tax-books to the town or district collectors, the clerk shall make a certified statement, setting forth the name of each town or district collector, the amount of taxes to be collected and paid over for each purpose for which the tax is levied in each of the several towns or districts, cities and villages, and furnish the same to the county collector.

COLLECTION DISTRICT AND WHO COLLECTOR IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

§ 144. Each county in this State not under township organization shall be a collection district, for the purposes of this act; and the sheriffs of such counties shall be, respectively, *ex-officio* district collectors of such collection districts.

VACANCIES AND RESIGNATIONS.

§ 145. If any town or district collector in this State shall refuse to serve, or shall die, resign or remove out of the county, district or town for which he was elected or appointed, or the office becomes vacated in any other way, before he shall have entered upon or completed the duties of his office, or shall in any way be prevented from completing the same, the county or town board, as the case may require, shall forthwith appoint a collector for the remainder of the year, who shall give the like security, and be subject to the like penalties, and have the same power and compensation as the town or district collector in

9 whose place he was appointed; and the county collector shall forthwith be
 10 notified of such appointment. Such appointment shall not exonerate the
 11 former town collector, or his securities, from any liability incurred by him
 12 or them. No resignation of a town or district collector shall be accepted,
 13 unless sufficient cause is shown; nor shall the person resigning be reappointed
 14 to complete the collections in the same or any other town or district in the
 15 county.

§ 146. The town or district collector so appointed shall keep an account
 2 of all collections made by the former collector, so far as he can ascertain
 3 the same; and when any one shall present a receipt for taxes paid to the
 4 former collector, he shall mark against the amount of such taxes, to whom
 5 and when paid.

§ 147. In case of such appointment, the chairman of the county board or
 2 the supervisor of the town may extend the time for the collection of taxes
 3 for a period not exceeding twenty days, of which extension the county col-
 4 lector shall be notified.

COLLECTORS.

§ 148. The treasurers of counties under township organization, and the
 2 sheriffs of counties not under township organization, shall be *ex-officio* county
 3 collectors of their respective counties.

§ 149. Said collector shall, on or before the first day of
 2 December, annually, or as soon as he is elected and qualified, and before he
 3 enters upon the duties of his office as collector, execute a bond, in addition
 4 to his bond as treasurer, in the penal sum of at least double the amount of
 5 State taxes to be collected in the year next thereafter, with two or more
 6 securities, who shall be residents of the said county, and owners of real estate
 7 located within this State equal in value to the amount specified in the bond;
 8 which amount shall be determined, and which bond shall be approved by
 9 the county board. Each name shall be recited, in full, in the body of the
 10 bond. The signatures to such bond signed by a mark shall be witnessed,

11 but in no other case shall witness be required. Such bond shall be substantially
 12 in the following form, to-wit:

13 Know all men by these presents, that we, A B, collector, and C D and E F,
 14 securities, all of the county of and State of Illinois, are held and
 15 firmly bound unto the People of the State of Illinois, in the penal
 16 sum of dollars, for the payment of which, well and truly to be made,
 17 we bind ourselves, each of us, our heirs, executors and administrators, firmly
 18 by these presents.

19 Signed and sealed this day of, 18....

20 The condition of the foregoing bond is such, that if the above bound A B
 21 shall perform all the duties required to be performed by him as collector
 22 of the taxes for the year 18.... in the county of in the State
 23 of Illinois, in the time and manner prescribed by law, and when he shall
 24 be succeeded in office shall surrender and deliver over to his successor in
 25 office all books, papers and moneys appertaining to his said office, then the
 26 foregoing bond to be void; otherwise to remain in full force.

27 A B, [SEAL.]

28 C D, [SEAL.]

29 E F, [SEAL.]

30 He shall also take and subscribe an oath, to be indorsed on the back of
 31 the bond, substantially as follows:

32 I do solemnly swear that I will support the Constitution of the United
 33 States and the Constitution of the State of Illinois, and that I will faithfully
 34 discharge the duties of the office of county collector according to the best
 35 of my ability.

§ 150. The collector's bond shall be approved by the county board, and shall
 2 be recorded on the records of said board, and forthwith mailed to the Auditor
 3 by the county clerk. Said clerk shall attach his certificate to said bond, under
 4 the seal of his office, showing that it has been duly approved and recorded.
 5 Said bond, when approved and recorded, shall be a lien against the real estate
 6 of such collector until he shall have complied with the conditions thereof.

§ 151. The chairman of the county board, the county judge and the county clerk shall have power and authority to approve the bond of the county collector in like manner as the county board has to approve said collector's bond; and said bond, when so approved, shall be subject to the several provisions of this act, the same as if approved by said board.

§ 152. The collector's bond, when received by the Auditor, and if found to be made in conformity to law and the securities satisfactory, shall be filed in his office, and the fact thereof certified to the county clerk. If the Auditor finds said bond to be not in accordance with law, or if he has reason to doubt the sufficiency of the surety, he shall return the bond to the county clerk, who shall notify the collector to make a sufficient bond. If a new bond is required, it shall be approved and recorded, and subject to the requirements of this section, the same as the first bond given by the collector. No tax books or lists shall be placed in the hands of the county collector until the Auditor's certificate, under the seal of his office, has been received by the county clerk, showing that the collector's bond has been received and filed in the Auditor's office. Nothing in this section shall be construed as relieving the securities of a collector from liabilities incurred under a bond not approved and filed by the Auditor.

§ 153. The securities on any bond given in pursuance of this act, or either of them, may at any time after the execution of said bond, if they, or either of them, have good reason to believe that the officer in said bond is about to fail to comply with the conditions thereof, file with the county clerk a notice in writing, verified under oath by the person asking to be discharged, setting forth the facts in the case and asking to be released from any further liability on said bond; whereupon, the clerk with whom such notice shall be filed shall notify the said officer to give additional security, equal to the security about to be released by the county board, which notice may be served by the said clerk, or by any person appointed by said board or clerk. If the officer so notified shall not appear and give additional security within two days after notification, the county board may remove him from office; and

13 in all such cases said board shall appoint some person to fill the vacancy
14 occasioned by such removal, who shall execute bond, qualify, and perform
15 the duties required as such officer.

§ 154. If the securities on any collector's bond, or either of them, shall be satisfied that such collector is making improper use of the funds collected by him, or has absconded, or is about to abscond, from this State, whereby said securities may become liable to pay any sum or sums of money, it shall be lawful for said security to sue out a writ of attachment against the goods and chattles of such collector, in like manner as he would be authorized to do if said collector was personally indebted to such security, and the money collected on any such attachment shall be paid into the State, county, town or city treasury by the officer collecting the same, in like manner as if paid over by the collector.

§ 155. In case of the death of any county collector during the time the tax books are in his hands, and before the time specified in this act for making settlements, the county clerk shall demand and take charge of the tax books. Said clerk shall appoint one or more competent persons to examine said tax books; and it shall be the duty of the persons so appointed to ascertain the amount remaining uncollected, and make out a correct abstract of the same: *Provided*, that should there be but a small portion of the taxes collected at the time of the death of the collector, then the amount actually collected shall be ascertained, and the same books used in completing the collections.

§ 156. Collectors may appoint deputies by an instrument in writing, duly signed, and may also revoke any such appointment at their pleasure; and may require bonds or other securities from such deputies to secure themselves. And each such deputy shall have like authority in every respect to collect the taxes levied or assessed within the portion of the county, town, district, village or city assigned to him, which by this act is vested in the collector himself; but each collector shall in every respect be responsible to the State, county, towns, villages, cities, districts and individuals, companies or corporations, as the case may be, for all moneys

11 collected, and for every act done by any of his deputies whilst acting as such,
 12 and for any omission of duty of such deputy. Any bond or security taken
 13 from a deputy by a collector pursuant to this act shall be available to such
 14 collector, his representatives and securities to indemnify them for any loss or
 15 damage accruing from any act of such deputy.

§ 157. The county clerk on being requested by any collector, shall attach a
 2 warrant, under his hand and seal of his office, to any list furnished by such
 3 collector to his deputy, which warrant shall be in the same manner and
 4 form as is required in the original collector's list or book, except that the
 5 amount collected by such deputy shall be paid to the collector, who shall pay
 6 the same over to the proper officer or persons.

MANNER IN WHICH TAXES ARE TO BE COLLECTED.

§ 157½. The county revenue shall be collected in gold and silver
 2 coin, United States legal tender notes, current national bank notes,
 3 county orders and jury certificates, and in no other currency. The revenue
 4 for State purposes shall be collected in gold and silver coin, United States
 5 legal tender notes, current national bank notes, and Auditor's warrants, and
 6 in no other currency. The revenue for city purposes shall be collected in
 7 gold and silver coin, United States legal tender notes, current national bank
 8 notes, city comptroller's, city auditor's or city clerk's warrants or orders on
 9 the city treasurer, and in no other currency. State taxes levied for any
 10 special purpose other than to defray the ordinary expenses of the State gov-
 11 ernment, shall be collected in gold and silver coin, United States legal tender
 12 notes, current national bank notes, and in no other currency. All other taxes
 13 shall be collected in gold and silver coin, United States legal tender notes
 14 and in current national bank notes, and in no other currency unless otherwise
 15 specially provided for.

§ 158. Every town collector, upon receiving the tax book or books,
 2 shall proceed to collect the taxes therein mentioned, and for that
 3 purpose shall call at least once on the person taxed, or at his place
 4 of residence or business, if in the town of such collector, and shall demand
 5 payment of the taxes charged to him on his property. *Provided*, that in

6 counties not under township organization, it shall be the duty of the collector
 7 to give notice in a newspaper published in the county, if any such newspaper
 8 there be, stating when and where he will attend in each precinct for the
 9 purpose of receiving taxes, and also by causing written or printed notices to
 10 be posted in three of the most public places in each precinct, stating the
 11 time when, and the place where, he will be in such precinct for the purpose
 12 of collecting the taxes therein; which said notices shall be published or posted
 13 at least ten days before the time fixed for the collection of such taxes, and
 14 said notices shall be deemed a sufficient demand for said taxes.

§ 159. In case any person, company, or corporation shall refuse or
 2 neglect to pay the personal property taxes imposed on him or them, when
 3 demanded, it shall be the duty of the collector to levy the same, together
 4 with the costs and charges that may accrue, by distress and sale of the per-
 5 sonal property of the person, company or corporation who ought to pay the
 6 same.

§ 160. The collector shall give public notice of the time and
 2 place of sale, and of the property to be sold, with the name of
 3 the delinquent, at least five days previous to the day of sale, by
 4 advertisements, to be posted up in at least three public places in the
 5 town or district where such sale is to be made. Such sale shall be by public
 6 auction, and, if practicable, no more property shall be sold than sufficient to
 7 pay the tax, costs and charges due. If the property distrained shall be sold
 8 for more than the amount of the taxes and charges due, the surplus shall be
 9 returned to the person in whose possession such property was when the dis-
 10 tress was made, if no claim be made to such surplus by any other person. If
 11 any other person shall claim such surplus, on the ground that the prop-
 12 erty sold belonged to him, and such claim be admitted by the person
 13 for whose tax the same was distrained, the surplus shall be paid to such
 14 owner.

§ 161. In case any person against whom a tax shall be assessed, under
 2 the provisions of this act, shall have removed from one town or district to

3 another town or district in the same county without paying such tax, it
 4 shall be lawful for the collector having the tax books in which said tax is
 5 charged, to levy and collect such tax of the goods and chattels of the per-
 6 sons assessed, in any town or district within said county to which such
 7 person shall have removed, or from property of such person wherever the
 8 same may be found in said county.

§ 162. In levying on and selling personal property for taxes, the collector
 2 shall be governed by the same rules, and be entitled to the same fees, as
 3 constables are or may be for like services on executions; but in no case
 4 shall any collector charge mileage, unless he is compelled to distrain property.

§ 163. In case any person against whom taxes have been
 2 levied, under the revenue laws of this State, in any county, town,
 3 city or district of this State, shall have removed from such county, town,
 4 city or district, after such assessment has been made, and before the collec-
 5 tion of the same, the county clerk, when directed by the county board, shall
 6 issue a warrant under his hand and seal of office, directed to any sheriff, cor-
 7 oner or constable of the county, town, city or district to which such person
 8 may have removed, commanding such officer to whom the warrant may be
 9 directed, to make the amount of such tax, together with the costs and
 10 charges that may accrue, from the personal property of the person owing
 11 such tax—distrain and sale of property under this section to be in the same
 12 manner as provided in this act for other cases of distrain and sale of per-
 13 sonal property. The taxes which may be collected under this section shall
 14 be disposed of in the manner required by this act with respect to taxes col-
 15 lected in any other manner. All other parts of this act providing for cases of fail-
 16 ure of officers to pay over taxes, shall apply to all officers collecting taxes
 17 under this section who fail to pay over and correctly account at the proper
 18 time and manner for the taxes collected by them.

§ 164. The power and duty to levy and collect any tax due and unpaid, shall
 2 continue in and devolve upon the county collector and his successors in office, after
 3 his return and final settlement, until the tax is paid; and the warrant attached

4 to the collector's book shall continue in force and confer authority upon
5 the collector to whom the same was issued, and upon his successors in
6 office, to collect any tax due and uncollected thereon, although such books
7 may have been returned, or the tax carried forward into any other book.
8 This section shall apply to all collector's books and tax warrants heretofore
9 issued, upon which taxes may be due and unpaid, as well as those here-
10 after issued.

§ 165. The collector shall receive taxes on part of any lot, piece or parcel of land
2 charged with taxes, when a particular specification of the part is furnished. If the
3 tax on the remainder of such lot or parcel of land shall remain unpaid,
4 the collector shall enter such specification in his return, so that the part
5 on which the tax remains unpaid may be clearly known. The tax may
6 be paid on an undivided share of real estate. In such case the collector
7 shall designate on his record upon whose undivided share the tax has
8 been paid.

§ 166. Whenever any person shall pay the taxes charged on any
2 property, the collector shall enter such payment in his book, and
3 give a receipt therefor, specifying for whom paid, the amount paid, what
4 year paid for, and the property and value thereof on which the same was
5 paid, according to its description in the collector's books, in whole or in
6 part of such description, as the case may be; and such entry and receipt shall
7 bear the genuine signature of the collector or his deputy receiving such
8 payment, and whenever it shall appear that any receipt for the pay-
9 ment of taxes shall be lost or destroyed, the entry so made may
10 be read in evidence in lieu thereof. The collector shall enter the name
11 of the owner or the person paying tax opposite each tract or lot of land
12 when he collects the tax thereon, and the postoffice address of the person
13 paying such tax.

SWORN STATEMENTS OF COLLECTIONS TO BE MADE—PAYMENTS.

§ 167. Town and district collectors shall, every thirty days, when required
2 to do so by the proper authorities of incorporated towns, cities and villages,

3 road and school districts, for which any tax is collected, render to said
4 authorities a statement of the amount of each kind of tax collected for
5 the same, and at the same time pay over to such authorities the amount
6 so shown to be collected.

§ 168. Such town and district collectors shall, every thirty days, render a
2 similar account of the taxes payable to the State treasury, and of the
3 county taxes, to the county collectors, and at the same time pay over the
4 amount of such taxes to said county collector.

§ 169. Said town and district collectors shall pay over the town, road,
2 school and other local taxes, as may be directed in the warrant attached to
3 the collector's book.

§ 170. Each town and district collector shall make final settlement for the
2 township, district, city, village and town taxes charged in the
3 tax books, at or before the time fixed in this act for paying
4 over and making final settlement for State and county taxes
5 collected by them. In such settlements said collectors shall be entitled
6 to credit for the amount of their commissions on the amount collected, and
7 for the amount uncollected on the tax books, as may be determined by the
8 settlement with the county collector.

§ 171. The officer to whom any such moneys may be paid, under the pre-
2 ceding sections, shall deliver to the collector duplicate receipts therefor.

RETURN OF TOWN AND DISTRICT COLLECTORS TO THE COUNTY COLLECTOR.

§ 172. Town and district collectors shall return the tax books and
2 make final settlement for the amount of taxes placed in their hands
3 for collection, on or before the twentieth day of March next after
4 receiving the tax books: *Provided*, that the county collector may first
5 notify, in writing, the several town or district collectors upon what day,
6 within ten days after the twentieth day of March, they shall appear at his
7 office and make final settlement; and at the time of making return to the
8 county collector, each town or district collector in counties under township
9 organization shall make out and deliver to the county collector a detailed
10 statement, in writing, of the amount of taxes he has been unable to col-

11 lect on real estate and from persons charged with personal property taxes,
 12 which statement shall show each kind of tax, the same as in the tax
 13 book delivered to him by the county clerk, and shall show the number of
 14 the page of the tax book and the number of the line of the page on
 15 which the item appears to be delinquent; and in case where no taxes have
 16 been paid, on any one page on the collector's book, the page footings of
 17 the taxes on such page may be copied into such statement. It shall not
 18 be necessary to give in the statement the description of the real property
 19 delinquent, nor the names of the owners thereof, nor the names of the persons
 20 delinquent for personal property taxes. The town or district collector shall
 21 add up the delinquent taxes in said statement and make a summary thereof,
 22 setting forth the aggregate amount of each kind of tax, and the total delin-
 23 quent, in the same manner as in his warrant, and shall make oath that said
 24 statement is true and correct.

§ 173. If any town or district collector shall be unable to collect
 2 any tax on personal property charged in the tax book, by reason of
 3 the removal or insolvency of the person to whom said tax is charged,
 4 or on account of any error in the tax book, he shall, at the time of
 5 returning his book to the county collector, note, in writing, opposite the
 6 name of each person charged with such tax, the cause of failure to collect
 7 the same, and shall make oath that the cause of delinquency or error
 8 noted is true and correct, and that such sums remain due and unpaid, and
 9 that he has used due diligence to collect the same, which affidavit shall
 10 be entered upon said collector's book, and be signed by the town or dis-
 11 trict collector.

§ 174. Upon the filing of said book, the county collector shall allow the
 2 town or district collector credit for the amount of taxes therein stated
 3 to be unpaid, and shall credit the same to the several funds for
 4 which said tax was charged. When the county collector makes settle-
 5 ment with the county board, such statements shall be sufficient voucher
 6 to entitle him to credit for the amount therein stated, less such amount

7 thereof, if any, that may have been collected by him. In no case shall
8 any town or district collector, or county collector, be entitled to abate-
9 ments for personal property tax until the statement and affidavit are filed.

§ 175. Each town or district collector, at the time of returning his
2 tax book to the county collector, shall make affidavit, to be entered
3 upon such book and subscribed by the collector, that the taxes
4 charged against each tract or lot, or assessment of personal property,
5 remain due and unpaid at the date of making such affidavit in each
6 case where there does not appear in the proper column the amount
7 of such taxes as having been paid to such collector, and the date of payment
8 and the name of any person as having paid the same; which affidavit shall
9 be *prima facie* evidence of the facts therein stated.

§ 176. Each town or district collector shall particularly note, in his returns to
2 the county collector, all cases of personal property tax that he was unable to
3 collect, which can be made from real estate of the persons owing such
4 tax.

§ 177. If the town or district collector shall fail to appear and make
2 final settlement, or pay over the amount in his hands when required in
3 this act, the county collector shall forthwith cause the bond of such col-
4 lector to be put in suit, and recovery may be had thereon for the sum due
5 for all taxes and special assessments, and twenty-five per cent thereon as
6 damages, with costs of suit.

§ 178. Upon the final settlement of the amount of taxes directed to be
2 collected by any collector, in any of the towns or districts in this State,
3 the county collector shall, if requested, give to such collector, or any of
4 his securities, a satisfaction piece, in writing.

§ 179. Such satisfaction piece may be recorded in the recorder's office,
2 and when so recorded shall operate as a discharge of the securities and the
3 lien upon the property of the collector, except as to all suits commenced
4 upon such bond within three years after the recording of the same.

§ 180. All real estate upon which taxes remain due and unpaid on the twentieth day of March, annually, or at the time the town or district collector makes return of his books to the county collector, shall be deemed delinquent; and all such due and unpaid taxes shall bear interest after the first day of May at the rate of one per cent. per month until paid or forfeited; parts or fractions of a month shall be reckoned as a month. And all such collections on account of interest shall be paid into the county treasury to be used for county purposes.

RETURN OF DELINQUENT SPECIAL ASSESSMENTS.

§ 181. When any special assessment made by any city, town or village, pursuant to its charter, or by any corporate authorities, commissioners or persons, pursuant to law remain unpaid in whole or in part, return thereof shall be made to the county collector on or before the twentieth day of March next after the same shall have become payable, in like forms as returns are made for delinquent land tax. County collectors shall collect, account for and pay over the same to the authorities or persons having authority to receive the same, in like manner as they are required to collect, account for and pay over taxes. The county collector may, upon return of delinquent special assessments to him, transfer the amounts thereof from such returns to the tax books in his hands, setting down therein, opposite the respective tracts or lots, in proper columns to be prepared for that purpose, the amount assessed against such tract or lot.

§ 182. When any special assessment is returned against property, the taxes upon which shall have been paid to the town or district collector, it shall be the duty of the county collector to cause demand to be made for the payment of such special assessment, or a notice thereof to be sent, by mail or otherwise, to the owner, if his place of residence is known. The certificate of a collector that such demand was made, or notice given, shall be evidence thereof.

COUNTY COLLECTOR'S RECEIPT—POWERS.

§ 183. On the application of any person to pay any tax or special assessment, upon any real property, it shall be the duty of the county collector to make out

3 to such person a receipt, in which shall be noted all taxes and assessments upon
4 such property, returned to such collector and not previously paid.

§ 184. County collectors shall have the same powers, and may proceed
2 in the same manner, for the collection of any tax on real or personal
3 property, as town or district collectors; and if in any town or collection
4 district the office of town or district collector is, or shall become vacant, and
5 such vacancy shall not be filled on or before the twentieth day of March next
6 following such vacancy, or if in any town or collection district the books for
7 the collection of taxes, for any reason, have not been, or shall not be, delivered
8 to the town or district collector, on or before the twentieth day of March in any
9 year, the county clerk shall deliver all such collectors' books to the county
10 collector of such county, having annexed to each of such books a warrant
11 under the hand and official seal of the county clerk, commanding such county
12 collector to collect from the several persons named in such books, the several
13 sums of taxes therein charged opposite their respective names, and authorizing
14 him, in case any person named in such collectors' books shall neglect or refuse
15 to pay his personal property tax, to collect the same by distress and sale of
16 the goods and chattels of such person. It shall thereupon be the duty of such
17 county collector to collect and pay over all taxes, assessments and other charges
18 shown in such books, and to do all acts required of him by law, in like manner
19 as if such taxes, assessments and other charges had been duly returned delin-
20 quent by a town or district collector. The collectors' books so delivered to the
21 county collector, by the county clerks, shall, for all purposes, in all subsequent
22 proceedings, be used in the same manner, and have the same force and effect
23 as if said books were delivered to the town or district collectors, and duly
24 returned by them, as provided by law. When any injunction restraining the
25 collection of taxes shall be dissolved after the tax books shall have been returned
26 to the county collector, such taxes, or the portion thereof upon which such
27 injunction shall have been dissolved, shall be paid to the county collector,
28 who shall have the same power and shall proceed in the same manner for the

29 collection of such taxes as though the same or such portion thereof had never
30 been enjoined.

ADVERTISEMENT FOR JUDGMENT AND SALE.

§ 185. At any time after the first day of April next, after such
2 delinquent taxes and special assessments on lands and lots shall
3 become due, the collector shall publish an advertisement, giving notice of
4 the intended application for judgment for sale of such delinquent lands and
5 lots, in a newspaper published in his county, if any such there be, and if
6 there be no such paper printed in his county, then in the nearest news-
7 paper in this State to the county seat of such county. Said advertisement
8 shall be once published at least three weeks previous to the term of the
9 county court at which judgment is prayed, and shall contain a list of the
10 delinquent lands and lots upon which the taxes or special assessments remain
11 due and unpaid, the names of owners if known, the total amount due
12 thereon, and the year or years for which the same are due. Said collector
13 shall give notice that he will apply to the county court at the — term
14 thereof, for judgment against said lands and lots for said taxes, special
15 assessments, interest and costs, and for an order to sell said lands and lots
16 for the satisfaction thereof; and shall also give notice that, on the —
17 Monday, next succeeding the day fixed by law for the commencement of
18 such term of the said county court, all the lands and lots for the
19 sale of which an order shall be made, will be exposed to public
20 sale at the building where the county court is held in said county,
21 for the amount of taxes, special assessments, interest and costs due thereon;
22 and the advertisement published according to the provisions of this section
23 shall be deemed to be sufficient notice of the intended application for judg-
24 ment and of the sale of lands and lots under the order of said court.
25 Where the publisher of any paper that may have been selected by the
26 collector shall be unable or unwilling to publish such advertisement, the
27 collector shall select some other newspaper, having due regard to the circu-
28 lation of such paper.

§ 186. When it becomes necessary to charge the tax on personal property
2 against real property, the county collector shall select for that purpose some
3 particular tract or lots of real property owned by the person owing such per-
4 sonal property tax; and in his advertisement for judgment and sale shall
5 designate the particular tract or lots of real property against which such per-
6 sonal property tax is charged, and in the list filed for judgment the same
7 facts shall be shown, and the court shall take cognizance thereof, and give
8 judgment against such tract or lots of real property for such personal prop-
9 erty tax.

§ 187. In all advertisements for the sale of lands and lots for
2 taxes or special assessments, and in entries required to be made
3 by the clerk of the court or other officer, letters, figures and
4 characters may be used to denote townships, ranges, sections, parts of
5 sections, lots or blocks, or parts thereof, the year or years for which the
6 taxes were due, and the amount of taxes, special assessments, interest and
7 costs; and the whole of the advertisement shall be contained in one edition
8 of such newspaper and its supplement, if such supplement is necessary:
9 *Provided*, that nothing contained in this section shall prevent the county
10 collector from subsequently advertising and obtaining judgment on lands or
11 lots that may have been omitted through no fault of the collector, or that
12 may have been erroneously advertised or described in the first advertisement.

§ 188. All applications for judgment and order of sale for taxes
2 and special assessments on delinquent lands and lots, shall be made at
3 the May term of the county court. If, from any cause, the
4 court shall not be holden at the term at which judgment is
5 prayed, the cause shall stand continued; and it shall not be necessary to
6 re-advertise the list or notice required by law to be advertised before judgment
7 and sale, but at the next regular term thereafter the court shall hear and
8 determine the matter; and if judgment is rendered, the sale shall be made on
9 the Monday specified in the notice, as provided in section one hundred and
10 eighty —, such Monday to be fixed by the county collector in the notice.

11 If, for any cause, the collector is prevented from advertising and obtaining
12 judgment at said term, it shall be held to be legal to obtain judgment at any
13 subsequent term of said court; but if the failure arises by the county collec-
14 tor's not complying with any of the requirements of this act, he shall be held
15 on his official bond for the full amount of all taxes and special assessments
16 charged against him: *Provided*, that any such failure on the part of the
17 county collector shall not be allowed as a valid objection to the collection of
18 any tax or assessment, or to a rendition of judgment against any delinquent
19 lands and lots included in the application of the county collector: *And*,
20 *provided, further*, that on the application for judgment at such subsequent
21 term, it shall not be deemed necessary to set forth or establish the reasons
22 of such failure.

§ 189. The printer, publisher or financial officer or agent of the newspaper
2 publishing the list of delinquent lands and lots, shall transmit by mail or other
3 safe conveyance to the collector four copies of the paper containing said list, to
4 one of which copies he shall attach his certificate, under oath, of the due publica-
5 tion of the delinquent list for the time required by law (which copy shall be
6 presented by the collector to the county court at the time judgment is
7 prayed), and said copy shall be filed as a part of the records of said court.
8 Upon receipt of said papers, and on demand being made, the collector shall
9 pay to the printer the amount of the fees allowed by law for publishing said
10 list and notice; and it shall be his duty to file one copy of said paper in his
11 office, and deliver one copy to the Auditor, and one copy to the State Treas-
12 urer, who shall file and safely preserve them in their respective offices.

§ 190. In all cases where there is an error in an advertised list,
2 the fault thereof being the printer's, which prevents judgment from
3 being obtained against any tracts or lots, or against all of said delin-
4 quent list, at the time stated in the advertisement that judgment will
5 be applied for, the printer shall lose the compensation allowed by this act
7 for such erroneous tracts or lots, or entire list, as the case may be.

§ 191. The collector shall transcribe into a book prepared for that purpose, and known as the tax, judgment, sale, redemption and forfeiture record, the list of delinquent lands and lots, which shall be made out in numerical order, and contain all the information necessary to be recorded, at least five days before the commencement of the term at which application for judgment is to be made; which book shall set forth the name of the owner, if known; the proper description of the land or lot; the year or years for which the tax or special assessments are due; the valuation on which the tax is extended; the amount of the consolidated and other taxes and special assessments; the costs and total amount of charges against such land or lot. Said book shall also be ruled in columns, so as to show the amount paid before the rendition of judgment; the amount of judgment, and a column for remarks; the amount paid before sale and after the rendition of said judgment; the amount of sale, amount of interest or penalty, amount of cost, amount forfeited to State, date of sale, acres or part sold, name of purchaser, amount of sale and penalty, taxes of succeeding years, interest and when paid, interest and costs, total amount of redemption, date of redemption, when deed executed, by whom redeemed, and a column for remarks, or receipt, of redemption money.

§ 192. Any person owning or claiming lands or lots upon which judgment is prayed, as provided in this act, may, in person or by agent, pay the taxes, special assessments, interest and costs due thereon, to the county collector of the county in which the same are situated at any time before sale.

§ 193. On the first day of the term at which judgment on delinquent lands and lots is prayed, it shall be the duty of the collector to report to the clerk all the lands or lots, as the case may be, upon which taxes and special assessments have been paid, if any, from the filing of the list mentioned in section one hundred and eighty. . . . up to that time, and the clerk shall note the fact opposite each tract upon which such payments have been made. The collector, assisted by the clerk, shall compare and correct said

8 list, and shall make and subscribe an affidavit, which shall be, as nearly as
9 may be, in the following form:

10 I collector of the county of do solemnly swear (or
11 affirm, as the case may be,) that the foregoing is a true and correct list of
12 the delinquent lands and lots within the county of upon which I
13 have been unable to collect the taxes (and special assessments, interest and
14 printer's fees, if any,) charged thereon, as required by law, for the year or
15 years therein set forth; that said taxes now remain due and unpaid, as I
16 verily believe.

17 Said affidavit shall be entered at the end of the list, and signed by the
18 collector.

JUDGMENT.

§ 194. The court shall examine said list, and if defense (specifying
2 in writing the particular cause of the objection) be offered by any
3 person interested in any of said lands or lots, to the entry of judg-
4 ment against the same, the court shall hear and determine the matter in a
5 summary manner, without pleadings, and shall pronounce judgment as the
6 right of the case may be. The court shall give judgment for such taxes and
7 special assessments and penalties as shall appear to be due, and such judg-
8 ment shall be considered as a several judgment against each tract or lot, or
9 part of a tract or lot, for each kind of tax or special assessment included
10 therein; and the court shall direct the clerk to make out and enter an order
11 for the sale of such real property against which judgment is given, which
12 shall be substantially in the following form:

13 Whereas, due notice has been given of the intended application for a judg-
14 ment against said lands and lots, and no sufficient defense having been made
15 or cause shown, why judgment should not be entered against said lands and
16 lots for taxes (special assessments, if any,) interest, penalties and costs due
17 and unpaid thereon for the year or years herein set forth, therefore it is con-
18 sidered by the court that judgment be and is hereby entered against the
19 aforesaid tract or tracts, or lots of land, or parts of tracts or lots, as the

30 case may be, in favor of the people of the State of Illinois, for the sum
21 annexed to each, being the amount of taxes (and special assessments, if any,)
22 interest, penalties and costs due severally thereon; and it is ordered by
23 the court that the said several tracts of land, or so much of each of
24 them as shall be sufficient to satisfy the amount of taxes, (and special
25 assessments, if any,) interest, penalties and costs annexed to them sever-
26 ally, be sold as the law directs.

27 Said order shall be signed by the judge. In all judicial proceedings of
28 any kind, for the collection of taxes and special assessments, all amend-
29 ments may be made which, by law, could be made in any personal action
30 pending in such court, and no assessment of property or charge for any
31 of said taxes shall be considered illegal on account of any irregularity in
32 the tax lists or assessment rolls, or on account of the assessment rolls or
33 tax lists not having been made, completed or returned within the time
34 required by law, or on account of the property having been charged or listed
35 in the assessment or tax list without name, or in any other name than that
36 of the rightful owner; and no error or informality in the proceedings of any
37 of the officers connected with the assessment, levying or collecting of the
38 taxes, not affecting the substantial justice of the tax itself, shall vitiate or in
39 any manner affect the tax or the assessment thereof; and any irregularity or
40 informality in the assessment rolls or tax lists, or in any of the proceedings
41 connected with the assessment or levy of such taxes, or any omission or
42 defective act of any officer or officers connected with the assessment or levy-
43 ing of such taxes, may be, in the discretion of the court, corrected, supplied
44 and made to conform to law by the court, or by the person (in the
45 presence of the court) from whose neglect or default the same was occa-
46 sioned.

§ 195. Appeals from the judgment of the court may be taken dur-
2 ing the same term to the Supreme Court on the party praying an appeal
3 executing a bond to the People of the State of Illinois, with two or more
4 sureties to be approved by the court, in some reasonable amount to be fixed

5 by the court, conditioned that the appellant will prosecute his said appeal
6 with effect, and will pay the amount of any tax, assessment and costs which
7 may finally be adjudged against the real estate involved in the appeal
8 by any court having jurisdiction of the cause. But no appeal shall be allowed
9 from any judgment for the sale of lands or lots for taxes, nor shall any
10 writ of error to reverse such judgment operate as a supersedeas, unless
11 the party praying such appeal or desiring such a writ of error, shall, before
12 taking such an appeal or suing out such writ of error, deposit with the
13 county collector an amount of money equal to the amount of the judgment
14 and costs. If, in case of an appeal or suing out a writ of error, the
15 judgment shall be affirmed in whole or in part, the Supreme Court shall
16 enter judgment for the amount of taxes with damages, not to exceed ten
17 per cent., and order that the amount deposited with the collector, as aforesaid,
18 or so much thereof as may be necessary, shall be credited upon the
19 judgment so rendered, and execution shall issue for the balance of said
20 judgment, damages and costs. The clerk of the Supreme Court shall transmit
21 to said county collector, a certified copy of the order of affirmance, and it
22 shall be the duty of the collector, upon receiving the same, to apply so
23 much of the amount deposited with him, as aforesaid, as shall be necessary
24 to satisfy the amount of the judgment of the Supreme Court, and to account
25 for the same as collected taxes. If the judgment of the county court shall
26 be reversed and the cause remanded for a rehearing, and if upon the rehearing,
27 judgment shall be rendered for the sale of the lands or lots for taxes,
28 or any part thereof, and such judgment be not appealed from, or a writ of
29 error prosecuted with supersedeas issued thereon, as herein provided, the
30 clerk of the county court shall certify to the county collector the amount
31 of such judgment, and thereupon it shall be the duty of the county collector
32 to certify to the county clerk the amount deposited with him, as aforesaid,
33 and the county clerk shall credit the said judgment with the amount of
34 such deposit, or so much thereof as will satisfy the judgment, and the
35 county collector shall be chargeable with, and accountable for, the amount

36 so credited, as collected taxes. Nothing herein contained shall be construed
 37 as requiring an additional deposit in case of more than one appeal or writ
 38 of error being prosecuted in said proceedings. If, upon a final hearing,
 39 judgment shall be refused for the sale of lands or lots for the taxes, or
 40 any part thereof, the collector shall pay over to the party who shall have
 41 made said deposit, or his legally authorized agent or representatives, the
 42 amount of the deposit, or so much thereof as shall remain after the satis-
 43 faction of the judgment against the premises in respect of which such
 44 deposit shall have been made.

§ 196. If judgment is rendered by any court, at any time,
 2 against any lands or lots, for any tax or special assessment, the
 3 county collector shall, after publishing a notice for sale, in com-
 4 pliance with the requirements of section 185 of this chapter, proceed to
 5 execute such judgment by the sale of lots and lands against which such
 6 judgment has been rendered: *Provided, however,* that in case of an appeal
 7 from any such judgment, the collector shall not sell until such appeal is
 8 disposed of.

SALE OF DELINQUENT LANDS.

§ 197. On the day advertised for sale, the county clerk, assisted by
 2 the collector, shall carefully examine said list upon which judgment
 3 has been rendered, and see that all payments have been properly noted
 4 thereon, and said clerk shall make a certificate to be entered on said
 5 record, following the order of court, that such record is correct, and that
 6 judgment was rendered upon the property therein mentioned for taxes,
 7 interest and costs due thereon, which certificate shall be attested by the clerk
 8 under seal of the court, and shall be the process on which all real property
 9 or any interest therein shall be sold for taxes, special assessments, interest
 10 and costs due thereon, and may be substantially in the following form:

11 I,, clerk of the county court in and for the county
 12 of....do hereby certify that the foregoing is a true and correct
 13 record of the delinquent real estate in said county, against which judgment

14 and order of sale was duly entered in the county court of said county, on
 15 the.....day of....., 18...., for the amount of the taxes
 16 special assessments, interest and costs due severally thereon as therein set
 17 forth, and that the judgment and order of court in relation thereto fully
 18 appears on said record.

§ 198. The county clerk, in person or by deputy, shall attend all sales of
 2 real estate for taxes, made by the collector, and shall assist at the same.

§ 199. When any tract or lot shall be sold, it shall be the duty
 2 of the clerk to enter on the record aforesaid, the quantity sold and
 3 the name of the purchaser, opposite such tract or lot, in the blank
 4 columns provided for that purpose; and when any such property shall
 5 be redeemed from sale, the clerk shall enter the name of the person
 6 redeeming, the date, the amount of redemption, in the proper column.

§ 200. All tracts or lots forfeited to the State at such sale, as hereinafter
 2 provided, shall be noted on said record.

§ 201. Said book shall be known and designated as the tax judgment
 2 sale, redemption and forfeiture record, and be kept in the office of the county
 3 clerk.

§ 202. The collector, in person or by deputy, shall attend at the court-
 2 house in his county on the day specified in the notice for the sale of real
 3 estate for taxes, and then and there, between the hours of ten o'clock in
 4 the forenoon and four o'clock in the afternoon, proceed to offer for sale, sep-
 5 arately and in consecutive order, each tract of land or town or city lot in
 6 the said list on which the taxes, special assessments, interest or costs have
 7 not been paid. The sale shall be continued from day to day until all the
 8 tracts or lots in the delinquent list shall have been sold or offered for sale.

§ 203. The person at such sale offering to pay the amount due on each
 2 tract or lot, for the least quantity thereof, shall be the purchaser of such
 3 quantity, which shall be taken from the east side of such tract or lot.

LANDS FORFEITED TO STATE.

§ 204. Every tract or lot so offered at public sale, and not sold for want of bidders, shall be forfeited to the State of Illinois: *Provided, however,* that whenever the county judge, county clerk and county treasurer shall certify that the taxes on forfeited lands equal or exceed the actual value of such lands, the officer directed by law to expose for sale lands for delinquent taxes, shall, on the receipt of such certificate, offer for sale to the highest bidder the tract or lands in such certificate described, after first giving ten days' notice of the time and place of sale, together with a description of the tract or lands so to be offered. And a certificate of purchase shall be issued to the purchaser at such sale as in other cases in this act provided; and the county collector shall receive credit, in his settlement with the custodian, of the several funds for which such tax was levied, for the amount not realized by such sale. And the amount received from any such sale shall be paid by such collector, *pro rata*, to the custodian of the several funds entitled thereto.

§ 205. If any collector, by himself or deputy, shall fail to attend any sale of lands or lots advertised according to the provisions of this act, and make sale thereof as required by law, he shall be liable to pay the amount of taxes, special assessments and costs due upon the lands or lots so advertised. Said collector may afterwards advertise and sell such delinquent property to reimburse himself for the amount advanced by him; but at no such sale shall there be any property forfeited to the State.

§ 206. If any county clerk shall fail to attend any tax sale of real estate, either in person or by deputy, or to make and keep the record, as required by this act, he shall forfeit and pay the sum of five hundred dollars, and shall be liable to indictment for such failure, and upon conviction shall be removed from office. Said sum shall be sued for in an action of debt, in name of the People of the State of Illinois, and when recovered shall be paid into the county treasury.

§ 207. The person purchasing any tract or lot, or any part thereof, shall forthwith pay to the collector the amount charged on such tract or lot,

3 and, on failure so to do, the said tract or lot shall be again offered for sale
 4 in the same manner as if no such sale had been made; and in no case shall
 5 the sale be closed until payment is made, or the tract or lot again
 6 offered for sale.

§ 208. The county clerk, on being requested so to do, shall make
 2 out and deliver to the purchaser of any lands or lots sold
 3 as aforesaid, a certificate of purchase, to be countersigned by the
 4 collector, describing the land or lot sold as the same was described in the
 5 delinquent list, date of such sale, the amount of taxes, special assessments,
 6 interest and costs for which the same was sold, and that payment has been
 7 made therefor. If any person shall become the purchaser of more than one
 8 tract or lot, he may have the whole or one or more of them included in one
 9 certificate. Such certificate of purchase shall be assignable by indorsement,
 10 and an assignment thereof shall vest in the assignee, or his legal representa-
 11 tives, all the right and title of the original purchaser.

§ 209. The county clerk is hereby authorized to make an index to tax
 2 sale records in a book, when furnished by the county, which index shall be
 3 kept in the county clerk's office as a public record, open to the inspection of
 4 all persons during office hours.

CERTIFIED COPY OF SALE LISTS TO BE SENT TO AUDITOR.

§ 210. The county clerk shall within twenty days after any sale for
 2 taxes, make out and transmit to the Auditor a transcript of sales for
 3 taxes, which shall be written on foolscap paper, made up and stitched
 4 in book form, suitable for binding. The clerk shall certify to the
 5 correctness of said transcript, under the seal of his office. Said list shall
 6 not include any tracts or lots forfeited to the State at such sale. The county
 7 clerk, for failure to make out, furnish or forward said list, as herein required,
 8 shall forfeit and pay into the State treasury the sum of five hundred dollars,
 9 to be recovered in an action of debt, in the name of the People of the State
 10 of Illinois, in any court in this State having competent jurisdiction.

REDEMPTION.

§ 211. Real property sold under the provisions of this act may be redeemed at any time before the expiration of two years from the date of sale, by payment in legal money of the United States, to the county clerk of the proper county, the amount for which the same was sold, and fifteen per cent. thereon if redeemed at any time before the expiration of six months from the day of sale; if between six and twelve months, thirty per cent.; if between twelve and eighteen months, fifty per cent.; and if between eighteen months and two years, seventy-five per cent. on the amount for which the same was sold. The person redeeming shall also pay the amount of all taxes and special assessments accruing after such sale, with ten per cent. interest thereon from the day of payment, unless such subsequent tax or special assessment has been paid by or on behalf of the person for whose benefit the redemption is made, and not by the purchaser at the tax sale, or his assignee. If the real property of any minor heir, idiot or insane person be sold for non-payment of taxes or special assessments, the same may be redeemed at any time after sale and before the expiration of one year after such disability be removed, upon the terms specified in this section, and the payment of ten per cent. per annum on the amount due at the expiration of two years from the date of sale; which redemption may be made by themselves, or by any person in their behalf. Tenants in common or joint tenants shall be allowed to redeem their individual interest in real property sold under the provisions of this act, in the same manner and under the terms specified in this section for the redemption of other real property. Any redemption made shall inure to the benefit of the person having the legal or equitable title to the property redeemed, subject to the right of the person making the same to be reimbursed by the person benefited.

§ 212. If any purchaser of real estate sold for taxes or special assessment shall suffer the same to be forfeited to the State, or again sold for taxes or special assessment, before the expiration of the last day of the second annual sale thereafter, such purchaser shall not be entitled to a deed

5 for such real property until the expiration of a like term from the date
 6 of the second sale or forfeiture, during which time the land shall be
 7 subject to redemption, upon the terms and conditions prescribed in this
 8 act; but the person redeeming shall only be required to pay for the use
 9 of such first purchaser, the amount paid by him. The second purchaser,
 10 if any, shall be entitled to the redemption money, as provided for in the
 11 preceding section: *Provided, however,* it shall not be necessary for any
 12 municipal corporation which shall bid in its own delinquent special assess-
 13 ments, at any sale, in default of other bidders, to protect the property
 14 from subsequent forfeitures or sales, as above required in this section.

§ 213. The books and records belonging to the office of the county clerk,
 2 or copies thereof, certified by said clerk, shall be deemed *prima facie*
 3 evidence to prove the sale of any land or lot for taxes or special assess-
 4 ments, the redemption of the same, or payment of taxes or special taxes
 5 thereon. The county clerk shall, at the expiration of his term of office,
 6 pay over to his successor in office all moneys in his hands received for
 7 redemption from sale for taxes on real estate.

§ 214. Whenever it shall be made to appear, to the satisfaction of the
 2 county clerk, that any tract or lot was sold which was not subject to be
 3 taxed, or upon which taxes or special assessments had been paid previous to
 4 the sale, he shall make an entry opposite to such tracts or lots in the sale
 5 and redemption record that the same was erroneously sold, and such entry
 6 shall be *prima facie* evidence of the fact therein stated.

§ 215. When the purchaser at such erroneous sale, or any one holding un-
 2 der him, shall have paid any tax or special assessment upon the property so
 3 sold, which has not been paid by the owner of the property, he shall have
 4 the right to recover from such owner the amount he has so paid, with ten
 5 per cent. interest, as money paid for the owner's use.

§ 216. The receipt of the redemption money of any tract of land or lot, by
 2 any purchaser, or the return of the certificate of purchase for cancellation,
 3 shall operate as a release of all the claim to such tract or lot, under or by
 4 virtue of the purchase.

§ 217. Hereafter no purchaser or assignee of such purchaser of any land, town lot or lots, or city, or village lot or lots at any sale of land, lot or lots for taxes or special assessments due to the State or county, or any incorporated town, city, village, school or drainage district within the same, or at any sale for taxes or levies or otherwise by the laws of this State, shall be entitled to a deed for lands or lots so purchased, until the following conditions have been complied with—to-wit: Such purchaser or assignee shall serve, or cause to be served a written or printed or partly written or [partly] printed notice of such purchase, on every person in the actual possession or occupancy of such land or lot, and also upon the owner of the premises if he be a resident of the county in which the same are situated, not more than five months, and not less than three months before the expiration of the time of redemption on such sale, in which notice, he shall state when he purchased the land or lot, in whose name taxed or specially assessed, the description of the land or lot he has purchased, for what year or time taxed or specially assessed, and when the time of redemption will expire, and in addition to such notice—except when such occupant shall be the owner of such land or lot, then and in that case no other notice than the one above provided for need be given—the said purchaser or his assignee shall give notice by publication to the owners and parties interested in such land or lot, in some newspaper printed in such county, and if no newspaper is printed in said county, then in the newspaper that is published in the State nearest the county seat of the county in which such land or lot is situated, which notice shall be inserted three times, the first not more than five months, and the last not less than three months before the time of redemption shall expire, which notice shall state the fact of the sale of the land or lot for such taxes or assessments, and when the redemption will expire: *Provided*, that if the owners or parties interested are unknown to such purchaser, or his assignee, then the said publication, as to them, may be to the unknown owner or parties interested.

§ 218. Every such purchaser or assignee, by himself or agent, shall, before
2 he shall be entitled to a deed, make an affidavit of his having complied
3 with the conditions of the foregoing section, stating particularly the facts
4 relied on as such compliance, which affidavit shall be delivered to the person
5 authorized by law to execute such tax deed, and which shall by him be filed
6 with the officer having custody of the record of the lands and lots sold for
7 taxes and entries of redemption in the county where such lands or lots shall
8 lie, to be by such officer entered on the records of his office, and carefully
9 preserved among the files of his office, and which record or affidavit shall be
10 *prima facie* evidence that such notice has been given. Any person swearing
11 falsely in such affidavit shall be deemed guilty of perjury and punished ac-
12 cordingly.

§ 219. In case any person shall be compelled to publish such notice in a
2 newspaper, then before any person who may have a right to redeem such
3 lands or lots from such sale shall be permitted to redeem, he shall pay the
4 officer or person who by law is authorized to receive such redemption money,
5 the amount paid for printer's fee for publishing such notice, for the use of
6 the person compelled to publish such notice as aforesaid; the fee for such
7 publication shall not exceed one dollar for each tract or lot contained in such
8 notice.

§ 220. At any time after the expiration of two years from date of sale of
2 any real estate for taxes or special assessments, if the same shall not have
3 been redeemed, the county clerk, on request, and on the production of the
4 certificate of purchase, and upon compliance with the three preceding sections,
5 shall execute and deliver to the purchaser, his heirs or assigns, a deed of
6 conveyance for the real estate described in such certificate.

§ 221. When any person shall hold more than one certificate of purchase
2 at the same sale, and for the same year's tax or special assessment, the clerk
3 shall on the request of the holder of such certificates, include as many tracts
4 or lots described therein in the deed of conveyance as such person may desire,
5 and for which deed the county clerk shall have a fee of fifty cents for each

6 certificate embraced therein: *Provided*, that no greater fee than three dollars
7 shall be charged upon any one deed.

§ 222. The deed so made by the county clerk under the official seal of his
2 office, shall be recorded in the same manner as other conveyances of real
3 estate, and shall vest in the grantee, his heirs and assigns, the title of the prop-
4 erty therein described without further acknowledgment or evidence of such
5 conveyance, and said conveyance shall be substantially in the following form:
6 STATE OF ILLINOIS, }
7 County. } ss.

8 Whereas, at a public sale of real estate for the non-payment of taxes, made
9 in the county aforesaid, on the day of A. D. 18....,
10 the following described real estate was sold, to-wit: (here place description
11 of real estate conveyed); and whereas, the same not having been redeemed
12 from said sale, and it appearing that the holder of the certificate of purchase
13 of said real estate has complied with the laws of the State of Illinois neces-
14 sary to entitle (insert him, her or them) to a deed of said real estate: Now,
15 therefore, know ye, that I,, county clerk of said county
16 of, in consideration of the premises and by virtue of the
17 statutes of the State of Illinois in such cases provided, do hereby convey
18 unto, his heirs and assigns forever, the said real estate
19 hereinbefore described, subject, however, to any redemption provided by law.

20 Given under my hand and the seal of our court this day of
21 A. D. 18....

22 County Clerk.

§ 223. County clerks shall record the evidence upon which deeds are
2 issued, and be entitled to the same fee therefor that may be allowed by law
3 for recording deeds.

§ 224. The foregoing six sections shall apply to all sales of real estate for
2 taxes heretofore made, as well as to such sales for taxes and special assess-
3 ments hereafter to be made.

§ 225. Deeds executed by the county clerk, as aforesaid, shall be
2 *prima facie* evidence, in all controversies and suits in relation to the right of

3 the purchaser, his heirs or assigns to the real estate thereby conveyed of the
 4 following facts: *First*—That the real estate conveyed was subject to tax-
 5 ation at the time the same was assessed, and had been listed and
 6 assessed in the time and manner required by law. *Second*—That the taxes
 7 or special assessments were not paid at any time before the sale. *Third*—That
 8 the real estate conveyed had not been redeemed from the sale at the date of the
 9 deed. *Fourth*—That the real estate was advertised for sale in the manner and
 10 for the length of time required by law. *Fifth*—That the real estate was sold for
 11 taxes or special assessments, as stated in the deed. *Sixth*—That the grantee
 12 in the deed was the purchaser or assignee of the purchaser. *Seventh*—That the
 13 sale was conducted in the manner required by law. And any judgment for the
 14 sale of real estate for delinquent taxes rendered after the passage of this act,
 15 except as otherwise provided in this section, shall estop all parties from raising
 16 any objections thereto, or to a tax title based thereon, which existed at or before
 17 the rendition of such judgment, and could have been presented as a defense to
 18 the application for such judgment in the court wherein the same was rendered,
 19 and as to all such questions the judgment itself shall be conclusive evidence
 20 of its regularity and validity in all collateral proceedings, except in cases where
 21 the tax or special assessments have been paid, or the real estate was not liable
 22 to the tax or assessment.

§ 226. All such tax deeds shall be a lien upon the real estate described
 2 therein for a period of five years, for all legal taxes and costs, properly
 3 paid by the person obtaining the same, or his assignors, and all penalties
 4 which would have been required to redeem such real estate from sale six
 5 months prior to the date of such deed, and for all taxes legally charged
 6 against such real estate, subsequent to the date of such deed and paid by
 7 the party obtaining the same or his grantees, by virtue of such deed, at
 8 any time after three years from the date of such deed, and before the
 9 expiration of such lien the holder of the same or any person holding
 10 under him by proper deed of conveyance, may file a bill in chancery to
 11 perfect such lien, and it shall not be competent in such suit for any party

12 to raise objection to such deed as evidence in such suit on account of
13 any insufficiency of the notice required in section 217 of this act, except
14 so far as it may effect the legality of the costs of such notice. Sum-
15 mons shall issue against, and service shall be made upon all persons
16 in interest by copy or otherwise, as the case may be, in the same man-
17 ner, and the practice shall be the same as in other suits in chancery. On
18 the hearing in such cases, if the court find for the complainant, the
19 decree shall be for the amount of the lien found to exist, according to
20 the evidence as applied to this section, with ten per cent. per annum
21 from the date of the deed on the amount of the lien at that time, and
22 ten per cent. per annum on all taxes legally paid subsequent to that time,
23 from the date of such payment, and a reasonable sum for attorney's fees,
24 as damages. And the decree shall provide that unless the amount of such
25 decree, with costs of suit, shall be paid within thirty days from the date
26 of such decree, the master in chancery, or special commissioner, as the
27 case may require, after giving notice, as required by law, at the time in
28 regard to the sale of real estate, by virtue of judgment and execution,
29 shall sell the same to the highest bidder, upon such terms as the court
30 may prescribe, and shall conduct all further proceedings as are required
31 by law at the time, in regard to decrees for the sale of real estate in
32 the foreclosure of real estate mortgages; and the proceedings when so
33 conducted shall have the same force and effect as is provided at the time
34 in such law. In all suits at law for the possession of any real estate held
35 by virtue of any such tax deed hereafter granted, and in all suits in chan-
36 cery brought to set aside, or brought to remove cloud from title caused by any
37 such tax deed hereafter granted, the court shall, on the trial or hearing, when-
38 ever the matter be properly pleaded, ascertain the amount of all legal taxes
39 and costs properly paid on such real estate by the party holding such deed,
40 or his assignors, and all penalties which would have been required to redeem
41 such real estate from sale within six months from the date of such tax
42 deed, and all such amounts as ascertained by the court shall be paid to

43 the holder of such deed against whom judgment or decree shall be ren-
44 dered, before such judgment or decree shall go into effect.

§ 227. Unless the holder of the certificate for real estate purchased
2 at any tax sale under this act, takes out the deed as entitled by
3 law, and files the same for record within one year from and after the
4 time for redemption expired, the said certificate or deed, and the sale on
5 which it is based, shall, from and after the expiration of such one year, be abso-
6 lutely null. If the holder of such certificate shall be prevented from obtaining
7 such deed by injunction or order of any court, or by the refusal of the clerk to
8 execute the same, the time he is so prevented shall be excluded from the
9 computation of such time. Certificates of purchase and deed executed by the
10 county clerk shall recite the qualifications required in this section.

FORFEITED PROPERTY.

228. If any person shall desire to redeem or purchase any tract of
2 land or lot forfeited to the State, he shall apply to the county clerk, who
3 shall issue his order to the county collector, directing him to receive from said
4 person the amount due on said tract or lot, which shall in no case be less
5 than twenty-five per cent. on all taxes forfeited, in addition to the tax, special
6 assessments, interest and printer's fees due thereon, particularly describing the
7 property and setting forth the amount due; and upon presentation of said
8 order to the county collector, he shall receive said amount and give the
9 person duplicate receipts therefor, setting forth a description of the property
10 and the amount received—one of which shall be countersigned by the county
11 clerk, and when so countersigned shall be evidence of the redemption or sale
12 of the property therein described, as the case may be, but no such receipt
13 shall be valid until it is countersigned by the county clerk. The other receipt
14 shall be filed by the county clerk in his office, and said clerk shall make a
15 proper entry of the redemption or sale of the property on the books in his
16 office, and charge the amount of the redemption or sale money to the county
17 collector. In cases of sales, the collector and clerk shall make the receipt in
18 the form of a certificate of purchase. Property purchased under this section

19 shall be subject to redemption, notice, etc., the same as if sold at regular
20 public tax sale.

§ 229. It shall be the duty of the county clerk, annually, when he makes
2 return of the amount of taxes levied, to report to the Auditor the amount
3 due the State on account of the redemption and sales of such forfeited prop-
4 erty, and said Auditor shall charge the same to the collector. If the collector
5 who received said redemption or sale money shall be succeeded in office, he
6 shall pay the amount in his hands over to his successor, who shall pay said
7 amount into the State treasury when he settles for the taxes of the current
8 year.

§ 230. The amount due on lands and lots previously forfeited to the State,
2 and remaining unpaid on the first day of November, shall be added to the
3 tax of the current year, and the amount thereof shall be reported against the
4 county collector, with the amount of taxes for said year; and the amount so
5 charged shall be placed on the tax books, collected and paid over in like
6 manner as other taxes. The county collector is hereby authorized
7 to advertise and sell said property, in the manner hereinbefore re-
8 quired by this act, as if said property had never been forfeited to the
9 State; and the county, city, town or school district may, by their agent,
10 attend such sale for taxes, and buy said lands and acquire the same rights that
11 individuals now have under the law; and acquire, hold, sell and dispose of said
12 title thereto the same as and in the same manner as individuals may do under
13 the laws of this State, in case of sale for taxes. Said additions and sales
14 shall be continued from year to year until the taxes on said property are paid,
15 by sale or otherwise.

§ 231. The county board may, at any time, institute suit in an action of debt,
2 in the name of the People of the State of Illinois, in any court of competent
3 jurisdiction, for the whole amount due on forfeited property; or any county,
4 city, town, school district, or other municipal corporation, to which any
5 such tax may be due, may at any time, institute suit in an action of
6 debt in its own name, before any court of competent jurisdiction, for

7 the amount of such tax due any such corporation on forfeited property,
8 and prosecute the same to final judgment. The county board may also,
9 at any time, institute suit in an action of debt in the name of the People
10 of the State of Illinois, in any court of competent jurisdiction, against
11 any person, firm or corporation, for the recovery of any personal property
12 tax due from such person, firm or corporation, and, in any such suit for the recovery
13 of personal property tax, the return of the county collector that such taxes are
14 delinquent shall be *prima facie* evidence that such taxes are due and unpaid, but
15 the fact that such taxes are due and unpaid may be proven by other competent
16 testimony. This act shall apply to all taxes heretofore levied against any
17 person, firm or corporation, and now upon any assessment book or roll,
18 and on the sale of any property following such judgment, on execution or
19 otherwise, any such county, city, town, school district, or other municipal
20 corporation, interested in the collection of said tax, may become purchaser
21 at such sale of either real or personal property, and if the property so
22 sold is not redeemed (in case of real estate) may acquire, hold, sell and
23 dispose of the title thereto, the same as individuals may do under the
24 laws of this State; and, in any such suit or trial for forfeited taxes, the
25 fact that real estate or personal property is assessed to a person, firm or
26 corporation, shall be *prima facie* evidence that such person, firm or corpo-
27 ration was the owner thereof, and liable for the taxes for the year or
28 years for which the assessment was made, and such fact may be proved
29 by the introduction in evidence of the proper assessment book or roll, or
30 other competent proof.

FINAL SETTLEMENT OF COUNTY COLLECTOR.

§ 232. On or before the third Monday in June, annually, the county
2 collector shall make out and file with the county clerk a statement
3 in writing, setting forth, in detail, the name of each person charged
4 with personal property tax which he has been unable to collect, by
5 reason of the removal or insolvency of the person charged with such
6 tax, the value of the property, and the amount of tax, the cause of

7 inability to collect such tax, in each separate case, in a column
 8 provided in the list for that purpose. Said collector shall, at the same
 9 time, make out and file with the county clerk a similar detailed list of
 10 errors in assessment of real estate, and errors in footing of tax books,
 11 giving in each case a description of the property, the valuation and
 12 amount of the several taxes and special assessments, and cause of error. The
 13 truth of the statements contained in such lists shall be verified by affidavit
 14 of the county collector. County collectors, in cases of removals and insol-
 15 vencies, may give, as the cause of inability to collect, the same cause as
 16 sworn to by the town or district collectors, stating in their return the
 17 fact that such was the statement made by the town or district collector,
 18 and that such tax still remains uncollected.

§ 233. If any lands or lots shall be forfeited to the State for taxes or special
 2 assessments, the collector shall be entitled to a credit in his final settlement for
 3 the amount of the several taxes and special assessments thereon, the county to
 4 allow the amount of printer's fees thereon, and be entitled to said fees, so
 5 allowed, when collected.

§ 234. On the third Monday in June, annually, the county board shall
 2 settle with and allow the county collector credit for such allowance as he
 3 may be legally entitled to.

§ 235. If there be no session of the county board held at the proper time for
 2 settling and adjusting the accounts of the county collector, it shall be the duty of
 3 the collector to file the lists with the county clerk, who shall examine said lists and
 4 correct the same, if necessary, in like manner as said board is required to do. Said
 5 county clerk shall make an accurate computation of the value of the property,
 6 and the amount of the delinquent tax and special assessments returned, for
 7 which the collector is entitled to credit.

§ 236. The county clerk shall immediately, in either case, certify to the
 2 Auditor of Public Accounts the valuation of property, and the amount of
 3 State taxes due thereon, for which the collector may be allowed credit.

§ 237. The county clerk shall also, at the same time, certify to the several
 2 authorities or persons with whom the county collector is to make settlement,

3 showing the valuation of property and amount of taxes and special assess-
4 ments due thereon, allowable to said collector in the settlement of their
5 several accounts.

§ 238. The Auditor and other proper authorities or persons shall, in their final
2 settlements with the collector, allow him credit for the amount so certified: *Pro-*
3 *vided*, that if the Auditor or such other proper authorities or persons shall
4 have reason to believe that the amount stated in said certificate is not cor-
5 rect, or that the allowance was illegally made, he or they shall return the
6 same for correction; and when the same shall appear to be necessary in the
7 opinion of the Auditor or such other proper authorities or persons, he or
8 they shall designate and appoint some competent person to examine the col-
9 lector's books and settlement, and the person so designated and appointed
10 shall have access to the collector's books and papers appertaining to such
11 collector's office or settlement, for the purpose of making such examination.

§ 239. In all cases when the adjustment is made with the county clerk,
2 the county board shall, at the first session thereafter, examine such settle-
3 ment, and if found correct shall enter an order to that effect; but if any
4 omission or error is found, said board shall cause the same to be corrected,
5 and a correct statement of the facts in the case forwarded to the Auditor
6 and other proper authorities or persons, who shall correct and adjust the
7 collector's accounts accordingly.

PARTIAL SETTLEMENT OF COUNTY COLLECTORS.

§ 240. On or before the tenth day of April annually, after he has made
2 settlement with town or district collectors, the county collector shall make
3 a sworn statement showing the total amounts of each kind of tax received
4 by him from town or district collectors, and the total amount of each
5 collected by himself—which statement shall be filed in the office of the
6 county clerk.

§ 241. The clerk shall immediately, on the receipt of such statement,
2 certify to the Auditor, and to other proper authorities or persons, the
3 amount for which the collector is required to settle with them severally.

§ 242. The county collector shall, on or before the fifteenth day of
2 April following, pay over to the State Treasurer the taxes in his hands,
3 payable to the State treasury, as shown by the statement required by
4 section 239 of this act.

§ 243. The failure of any county collector to obtain judgment shall not
2 prevent him from presenting his statement of credits, and making settlement
3 for taxes and special assessments in his hands, at the time required by this
4 act; but if, from no fault of the collector, he fail to obtain judgment and sale
5 of delinquent real estate at the time required by this act he shall be
6 allowed, in his settlements, a temporary credit for the amount of taxes
7 and special assessments in such delinquent list, which delinquent taxes and
8 special assessments shall be accounted for and paid immediately after sale
9 is had.

§ 244. He shall, within the same time, pay over to the other proper
2 authorities or persons, the amount so shown to be in his hands, and pay-
3 able to them.

§ 245. The county collector shall report and pay over the amount of tax
2 and special assessments due to towns, districts, cities, villages, corporations
3 and persons, collected by him on delinquent property, at least once in every
4 ten days, when demanded by the proper authorities or persons.

§ 246. Any county collector failing to make the reports and payments
2 hereinbefore required, for five days after the time specified for that purpose,
3 or after demand made as aforesaid, the Auditor, or such other authorities or
4 persons, may bring suit upon the collector's bond.

§ 247. If any county collector fails to account and pay over as required in
2 the preceding sections, his office may be declared vacant by the county board,
3 or by any court in which suit is brought on his official bond.

FINAL SETTLEMENT OF THE COUNTY COLLECTOR FOR STATE TAXES.

§ 248. The county clerk shall make out and deliver to the county collector, as
2 soon as adjustment is made with the county board or county clerk, annually, the
3 statements, certificates and lists appertaining to the settlement of the accounts of

4 such collector; which statement, certificates and lists shall be made out in proper
 5 form, under his seal of office, on blanks which it is hereby made the duty of the Auditor
 6 to furnish, annually, for that purpose. The collector shall deliver the same at the
 7 office of the Auditor, and make a final settlement of his accounts, and pay the
 8 amount due the State into the State Treasury on or before the first day of
 9 July next after receiving the tax books: *Provided*, that in all cases where the
 10 statements, certificates and lists appertaining to the final settlement of a col-
 11 lector, are on file with the Auditor, on or before the first day of July, the
 12 Auditor shall not charge interest on the balance found due on the account of
 13 such collector, for fifteen days after making said Auditor's statement showing
 14 balance due the State on such collector's account: *Provided, further*, that
 15 this section shall not be held to relieve any collector from the payment o
 16 interest charged on his account by reason of failure to make payment to the
 17 State, at other time or times, as required by this or any other act of the Gen-
 18 eral Assembly of this State.

§ 249. The county clerk shall furnish a duplicate copy of said statement,
 2 duly certified, whenever requested so to do by the Auditor. If the statement
 3 of credits herein required, or any of the items therein, are objected to by the
 4 Auditor, he shall return the statement to the county clerk, stating his objec-
 5 tions, and said clerk shall examine and correct or explain the same satisfactorily,
 6 and return the statement to said Auditor.

§ 250. If any collector shall have paid, or may hereafter pay into the State
 2 treasury, any greater sum or sums of money than are or may be legally
 3 and justly due from such collector, after deducting abatements and commissions,
 4 the auditor shall issue his warrant for the amount so overpaid, which shall be
 5 paid out of the fund or funds so overpaid on said warrant.

§ 251. Upon ascertaining the amount due to the State from any
 2 collector or other person, the Auditor shall give such person a
 3 statement of the amount to be paid, and upon the presentation of such
 4 statement to State Treasurer, and the payment of the sum stated to
 5 be due, the Treasurer shall give duplicate receipts therefor, one of
 6 which shall be filed in the Auditor's office, and entered in a book to be

7 kept for that purpose, and the other shall be countersigned by the Auditor
8 and delivered to the person making the payment; and no payment shall be
9 considered as having been made until the Treasurer's receipt shall be coun-
10 tersigned by the Auditor as aforesaid.

§ 252. Any collector failing to pay into the State treasury the
2 amount due to the State, on his account for State and other taxes,
3 at the time or times required by this act, shall pay interest at the
4 rate of ten per cent. per annum from the time the same became
5 due under this act until the same is paid; and it shall be the
6 duty of the Auditor to charge such interest to the account of every collector
7 failing to pay at the time or times required in this act. In no case shall
8 the Auditor be permitted to remit such interest, unless satisfactory evidence
9 from the county board is presented to him, showing, by official action
10 taken by such board, lawful cause why the collector could not pay over,
11 in part or in whole, the amount due on such collector's account with the
12 State.

§ 253. Upon the final settlement of any account with the State, the Auditor
2 shall give the collector duplicate certificates, under his seal of office, setting forth
3 that said collector has settled and paid into the State treasury the full amount
4 due from him on said account; and it shall be the duty of the collector
5 to file one of said certificates in the office of the county clerk, on or before
6 the first day of August next after receiving the tax books. If any collector
7 shall neglect or refuse to file one of said certificates as above required,
8 the county clerk shall leave a written notice at the office of said collector,
9 requiring him to appear before the county court, at the September term
10 thereof, and show cause why he has not filed the certificate aforesaid; and
11 if the collector shall not show that he has paid over the full amount due
12 from him, and made a final settlement with the State and county, or that
13 he has a lawful excuse for failing to do so, his office as collector and treas-
14 urer shall be declared vacant by said court, and the same filled as in
15 other cases of vacancy by reason of death or otherwise.

LIENS OF TAXES ON REAL PROPERTY.

§ 254. The taxes upon real property, together with all penalties, interests and costs that may accrue thereon, shall be a prior and first lien on such real property, superior to all other liens and incumbrances, from and including the first day of May in the year in which the taxes are levied until the same are paid; which lien may be foreclosed in equity, in any court of competent jurisdiction, in the name of the People of the State of Illinois, whenever taxes for two or more years, upon the same description of property, shall have been forfeited to the State and may be sold under the order of the court, by the person having authority to receive State and county taxes, with the same notice to interested parties and right of redemption from said sale as is now provided by law, and in conformity with sections four (4) and five (5) of article 9 of the constitution of this State. In proceedings to foreclose the tax lien on any real property, the amount due on the collector's books against the said property shall be *prima facie* evidence of the amount of taxes against the real property. When any taxes are collected in any such foreclosure proceedings, they shall be paid to the county collector, to be distributed by him to the respective authorities entitled thereto.

§ 255. The taxes assessed upon personal property shall be a lien upon the personal property of the person assessed, from and after the time the tax books are received by the collector.

§ 256. Real property shall be liable for taxes levied on personal property; but the tax on personal property shall not be charged against real property, except in cases of removals, or where said tax cannot be made out of the personal property for tax on real estate, which may have been listed and assessed in his name, when he makes oath, or otherwise satisfies the collector that he did not own such real property on the preceding first day of May.

§ 257. When property is assessed to any person as agent for another, or in a representative capacity, such person shall have a lien upon such property, or any property of his principal in his possession, until he is indemnified against the payment thereof, or if he has paid the tax, until he is reimbursed for such payment.

WHO NOT ELIGIBLE AS BONDSMAN.

§ 258. No judge of the county court, chairman of the county board, clerk of the circuit court, county clerk, sheriff, deputy sheriff or coroner shall be permitted to be a surety on the bond of a county, town, district or deputy collector or county treasurer.

LIABILITY ON BONDS.

§ 259. The bond of every county, town or district collector shall be held to be security for the payment by such collector to the State treasurer, county treasurer, and the several cities, towns and villages, and proper authorities and persons, respectively, of all taxes and special assessments which may be collected or received by him on their behalf, by virtue of any law in force at the time of giving such bond, or that may be passed or take effect thereafter.

§ 260. Upon the failure of any collector to make settlement with the Auditor, or to pay money into the State Treasury, it shall be the duty of the Auditor to sue the collector and his sureties upon the bond of such collector, or to sue the collector in such form as may be necessary, and take all such proceedings, either upon such bond or otherwise, as may be necessary to protect the interests of the State.

§ 261. When suit is instituted in behalf of the State, it may be in either division of the Supreme Court, or in the Sangamon county circuit court, or in any court of record in this State having jurisdiction of the amount; and process may be directed to any county in the State. In any proceeding against any officer or person whose duty it is to collect, receive, settle for or pay over any of the revenues of the State, whether the proceeding be by suit on the bond of such officer or person, or otherwise, the court in which such proceeding is pending shall have power, in a summary way, to compel such officer or person to exhibit, on oath, a full and fair statement of all moneys by him collected or received, or which ought to be settled for or paid over, and to disclose all such matters and things as may be necessary to a full understanding of the case; and the court may, upon hearing, give judgment for such sum or sums of money as such officer or

14 person is liable in law or equity to pay. And if, in a suit upon the bond of
15 any such officer or person, he or his sureties, or any of them, shall not for any
16 reason be liable upon the bond, the court may, nevertheless, give judgment
17 against such officer or person, or against such officer and such of his sureties
18 as are liable, for the amount he or they may be liable to pay, without regard
19 to the form of the action or pleadings.

§ 262. When suit has been instituted by the Auditor, any party aggrieved
2 may proceed under the judgment obtained upon the bond, by writ of inquiry
3 of damages, as in other cases upon bonds.

§ 263. Cities, towns, villages or corporate authorities, or persons aggrieved,
2 may prosecute suit against any collector or other officer, collecting or receiving,
3 funds for their use, by suit upon the bond, in the name of the People of the
4 State of Illinois, for their use, in any court of competent jurisdiction, whether
5 the bond has been put in suit at the instance of the Auditor or not; and in
6 case of judgment thereon, the Auditor may, if he shall so elect, have a writ
7 of inquiry of damages for any amount that may be due to the State treasury
8 from such officer. Cities, towns, villages, and other corporate authorities or
9 persons, shall have the same rights in any suits or proceedings in their behalf
10 as is provided in case of suits by or in behalf of the State.

§ 264. The State shall pay like fees as are or may be allowed by law in suits
2 between individuals; and in all cases when the State is plaintiff, it shall advance
3 and pay such fees in like manner as individuals are required to advance and pay
4 fees; and when the State becomes the purchaser of real property sold on execution
5 for any debt due the State, the officer selling such real estate shall be entitled
6 to like commissions as he would have been entitled to had such property
7 been purchased by an individual—said fees and commissions to be paid on
8 the warrant of the Auditor, out of any money in the treasury appropriated
9 for that purpose; and when such fees are collected they shall be paid into
10 the State treasury.

SALE OF REAL ESTATE ON EXECUTION IN BEHALF OF THE STATE—REDEMPTION.

§ 265. When real estate shall be levied upon to satisfy any judgment in
2 favor of the State, it shall be the duty of the officer making such levy,

3 to transmit by mail, to the Auditor, at least twenty days before the day
4 of sale, a correct statement, showing the description, and value of said
5 property in cash; the truth of said statement shall be attested by the
6 oath of said officer. Said officer shall, at the same time, furnish the Au-
7 ditor with an abstract of title of the property levied upon, the expense
8 thereof to be charged and collected as costs. And the Auditor is hereby
9 authorized and required to purchase in his name, for the use of the
10 People of the State of Illinois, at a price not exceeding two-thirds of said
11 value, so much of said property as may be required to pay the amount
12 of the judgments and costs aforesaid; and it shall be the duty of the
13 officer making such sale to forward to the Auditor a certificate of purchase,
14 and make his return, as required in other cases of sales on execution.
15 Any person desiring to redeem all or part of said property from such sale,
16 shall pay the amount of redemption money into the State treasury, and
17 thereupon the Auditor shall indorse such payment on the back of the cer-
18 tificate of purchase aforesaid, and deliver it to the person so paying, which
19 shall have the same effect as redemptions have in other cases; but no
20 real estate purchased as aforesaid shall be considered redeemed from such
21 sale until the redemption money is paid into the State treasury. Such
22 certificate may be recorded in the recorder's office of the county in which
23 such real property is situated, and shall operate as a release of record of
24 such property.

§ 266. All moneys received by any sheriff or other officer, on execution, in
2 behalf of the State, shall be paid by such officer to the State Treasurer, or to
3 the collector of his county, as may be directed by the Auditor, within twenty
4 days after demand is made by said Auditor. Said demand may be made by any
5 person authorized by the Auditor.

§ 267. If any real estate, purchased by the State on execution, shall not be
2 redeemed within the time required by law, it shall be the duty of the Auditor
3 to obtain a deed or deeds therefor; which he shall cause to be recorded in a
4 book kept for that purpose in his office, and shall take such steps as he shall

5 deem necessary to protect the timber or fixtures thereon from being lost or
6 destroyed.

DOUBLE PAYMENT AND ASSESSMENT—REFUNDING.

§ 268. Whenever the taxes on the same property shall have been paid more
2 than once, for the same year, by different claimants, the county collector shall
3 make a return to the county clerk of all such surplus taxes so received by him,
4 together with the names of the several claimants thus paying. Certified copies
5 of the said return, or of record thereof by the county clerk, or the county
6 clerk's report, by the Auditor, shall be *prima facie* evidence in all courts, when
7 the same shall come in question, of the payment of tax on the property therein
8 described for the year or years therein mentioned. The county clerk shall
9 make a full record of all such cases, and transmit a certified copy thereof to
10 the Auditor, who shall charge such collector with the portion of such surplus
11 taxes belonging to the State. The town or district collectors shall report such
12 cases to the county collector, and he to the county clerk.

§ 269. If any real property shall be twice assessed for the same year, or
2 assessed before it becomes taxable, and the taxes so erroneously assessed
3 shall have been paid, either at sale or otherwise, or have been twice
4 paid by different claimants, the county board, on application of the person
5 paying the same, or his agent, and being satisfied of the facts in the
6 case, shall refund the taxes thus paid, and shall charge back to each of the
7 several funds for which such taxes were levied, their proportion of said
8 tax. The county shall re-imburse itself out of any moneys in its possession
9 or that may afterwards come into its possession belonging to said funds.
10 In case of double payments of special assessments, the amount erroneously
11 paid shall be refunded to the proper claimant by the city, village or district
12 making such special assessments. -If any county, town or district collector shall
13 receive the taxes or special assessments properly due on any real property,
14 and the same shall afterwards be sold for said taxes or special assessments, he
15 shall refund to the purchaser thereof, if application be made within three
16 years from the date of said sale, double the amount of purchase money and

17 all expenses of advertising said real estate under this act, requiring real estate
 18 purchased at tax sales to be advertised, including costs of deeds. Any col-
 19 lector neglecting or refusing to pay as required by this section, shall be liable
 20 to the county, or person in interest, in an action of debt in any court having
 21 jurisdiction.

WHEN RECORDS ARE DESTROYED.

§ 270. When assessment rolls or collector's books, in whole or in part,
 2 of any county, town, city, incorporated village or district, shall be lost or
 3 destroyed by any means whatever, a new assessment or new books, as the
 4 case may require, shall be made under the direction of the county board.
 5 Said board shall, in such cases, fix reasonable times and dates for per-
 6 forming the work of assessment, equalization, levy, extension and collection
 7 of taxes, and paying over the same, or making new books, as the circum-
 8 stances of the case may require. All the provisions of this act shall apply
 9 to the dates fixed by the county board, in the same manner that they
 10 apply to the dates for similar purposes, as fixed by this act. The county
 11 is hereby fully empowered to select and appoint persons, where it may
 12 find the same necessary, to carry into effect the provisions of this section.

OTHER DUTIES OF AUDITOR.

§ 271. Whenever it shall come to the knowledge of the Auditor that any
 2 county, township, city, district or town, or any well defined locality thereof,
 3 or any particular class of property therein, has heretofore been or may hereaf-
 4 ter be released, from any cause whatever, from its just proportion of State
 5 taxes, said Auditor shall cause suit to be commenced in an action of debt, in
 6 the name of the People of the State of Illinois, either against the municipality
 7 or against the property unjustly released from taxation, or the owners thereof,
 8 for the amount of such tax, in the Supreme Court of this State, in either
 9 division thereof; and when judgment may be recovered in any such case, the
 10 Auditor shall levy a rate of tax on the equalized valuation of all property or
 11 particular class of property in such county, township, city, district, town or
 12 locality, as the case may be, as will pay the State the amount of such judg-

13 ment and costs; and it shall be the duty of the county clerk of the proper
 14 county to extend such rate of tax with the State tax of the year directed in
 15 the Auditor's certificate. Any county clerk neglecting or refusing to extend
 16 such rate, as certified to him by the Auditor, shall be removed from his office,
 17 and in addition thereto shall be subject to a fine of five thousand dollars, and
 18 damages caused by such neglect or refusal, to be sued for by the Auditor, in
 19 an action of debt, in the name of the People of the State of Illinois, in either
 20 division of the Supreme Court of the State: *Provided*, that in cases where
 21 the Auditor and proper local authorities of the proper municipality can ar-
 22 range to make such levy to reimburse the State in such cases without suit,
 23 the Auditor is hereby authorized to pursue such course.

§ 272. The Auditor is authorized to sell, transfer and convey, by
 2 deed, any and all real estate that may have been heretofore, or
 3 may be hereafter, purchased or taken in payment, to satisfy any judg-
 4 ment or any execution in favor of the State, by this State, or by
 5 any officer of this State, for the benefit and use of the State, to any person
 6 or persons who may pay into the State treasury the full amount paid by the
 7 State for said property, including costs and six per cent. interest thereon,
 8 from the date of said sale to the time of such payment: *Provided*, that
 9 the sale of the real estate, in part or in whole, may be made at such
 10 price, not less than the price paid for such part or whole of the property,
 11 as the case may be, as the judge of the county court, chairman of the
 12 county board, and the sheriff of the county in which the estate is situated,
 13 shall certify the same to be worth, or, if not sold in one year from and
 14 after the expiration of the time of redemption now or hereafter allowed by
 15 law, said property may, if the Auditor thinks the valuation fair, be sold by
 16 said Auditor upon and for any valuation of said property which may be
 17 appraised and certified by the judge of the county court, chairman of the
 18 county board and sheriff of the county in which such property is situated.

§ 273. On the first day of May in each year, or as soon thereafter as
 2 practicable, the Auditor shall obtain from the United States land office in

8 this State abstracts of the lands entered and located, and not previously
 4 obtained, and shall, at the same time, obtain from the Illinois Central
 5 railroad and canal offices, abstracts of the Central Railroad and canal lands
 6 sold. Upon the receipt of said abstracts, the Auditor shall cause them to
 7 be transcribed into the tract books in his office, and shall, without delay,
 8 cause abstracts of the lands in each county, including school lands reported
 9 to his office as having been sold, to be made out and forwarded by mail
 10 to the county clerks of the several counties; and said clerks shall cause
 11 such abstracts to be transcribed into the tract book, and filed in their
 12 office. The expense of procuring and furnishing the abstracts required by
 13 this section, shall be paid by the Auditor out of the appropriation for the
 14 expenses of his office.

§ 274. It shall be the duty of the Auditor to make out and forward to
 2 each county clerk, from time to time, for the use of such clerks and
 3 other officers, suitable forms and instructions; and all such instructions
 4 shall be strictly complied with by the officers in the performance of their
 5 respective duties. He shall give his opinion and advice on all questions
 6 of doubt as to the true intent and meaning of the provisions of this act.

§ 275. The Auditor shall, as soon as practicable after the passage of this
 2 act, cause the same to be correctly printed, in pamphlet form, and transmit to
 3 each county clerk a sufficient number of copies thereof for the use of the
 4 several county, town and district officers, and said clerk shall deliver the
 5 same to the proper officers.

§ 276. The county clerks of the several counties shall, annually, report to
 2 the Auditor a list of the swamp and overflowed lands sold in their respective
 3 counties for the year ending on the first day of May, and the Auditor shall
 4 enter the same in the tract books of his office.

OMITTED PROPERTY—SAVING CLAUSES.

§ 277. If any real or personal property shall be omitted in the assessment
 2 of any year or number of years, or the tax thereon, for which such property was
 3 liable from any cause has not been paid, or if any such property, by reason of

4 defective description or assessment thereof, shall fail to pay taxes for any
 5 year or years, in either case the same, when discovered, shall be listed and
 6 assessed by the assessor, and placed on the assessment and tax books. The
 7 arrearages of tax which might have been assessed, with ten per cent. interest
 8 thereon, from the time the same ought to have been paid, shall be charged
 9 against such property by the county clerk. It shall be the duty of county
 10 clerks to add uncollected personal property tax to the tax of any subsequent
 11 year, whenever they may find the person owing such uncollected tax assessed
 12 for any subsequent year.

§ 278. If the tax or assessment on property liable to taxation is prevented from
 2 being collected for any year or years, by reason of any erroneous proceeding or
 3 other cause, the amount of such tax or assessment which such property should
 4 have paid may be added to the tax on such property for any subsequent year
 5 in separate columns, designating the year or years.

§ 279. No such charge for tax and interest for previous years, as provided
 2 for in the preceding section, shall be made against any property prior to the
 3 date of ownership of the person owning such property at the time the liability
 4 for such omitted tax was first ascertained: *Provided*, that the owner of property,
 5 if known, assessed under this and the preceding section, shall be notified by
 6 the assessor or clerk, as the case may require.

§ 280. When any special assessment is not returned to the county collector
 2 on or before the first day of March next after it is due, the same may be returned
 3 on or before the first day of March in the succeeding year, and, if not then
 4 returned, it shall be considered barred, unless return is prevented by an injunction
 5 or order of court; and the time such return is thus prevented shall be excluded
 6 from the computation of such time.

§ 281. A failure to complete an assessment in the time required by this act
 2 shall not vitiate such assessment, but the same shall be as legal and valid as if
 3 completed in the time required by law.

§ 282. No assessment of real or personal property, or charge for taxes thereon,
 2 shall be considered illegal on account of any informality in making the assessment,

3 or in the tax lists, or on account of the assessments not being made or com-
4 pleted within the time required by law.

§ 283. Any failure to deliver the collector's books within the time required by
2 this act shall in no way affect the validity of the assessment and levy of taxes,
3 but in all cases of such failure, the assessment and levy of taxes shall be held
4 to be as valid and binding as if said books had been delivered at or within the
5 time required by law.

§ 284. No sale of real estate for taxes shall be considered invalid on account
2 of the same having been charged in any other name than that of the rightful
3 owner.

WHO MAY ADMINISTER OATHS.

§ 285. Any oath authorized to be administered under this act may be
2 administered by any assessor or deputy assessor, county treasurer, or by
3 any other officer having authority to administer oaths.

§ 286. If any collector shall, by his own neglect, fail to obtain judgment
2 at the May term of the county court, or shall fail to present his list of
3 delinquencies on personal property, or errors in assessment of real estate,
4 at the time required by this act, he shall lose the benefit of any abate-
5 ment to which he might have been entitled, and shall pay to the State
6 and county the full amount charged against him, after deducting the fees
7 allowed by this act for collecting and paying over taxes. If the county
8 court is not held at the May term, the collector shall have further time
9 to pay over the amount due on the delinquent list.

COUNTY TO FURNISH BOOKS AND BLANKS.

§ 287. The county board shall direct the county clerk to procure all
2 necessary books and blanks required by this act to be used in the assess-
3 ment of property and collection of taxes, at the expense of the county.

COUNTY FUNDS—MANNER OF KEEPING ACCOUNT THEREOF.

§ 288. The county collector shall, on the first day of every month, report
2 to the county clerk, in writing, the amount of county tax received by him
3 during the preceding month, showing what amount of said tax was received

4 in money, and what amount in county orders and jury certificates.
5 The county collector shall keep his account as collector of taxes separate
6 from his account as county treasurer. He shall credit his account as collector
7 with the amount of his monthly reports to the county clerk, and with the
8 amount of insolvencies, removals, errors, forfeitures, and other credits allowed him
9 on settlement with the county board; and, as county treasurer, he shall charge
10 himself with the amount shown in his monthly report to the county clerk, as
11 aforesaid, and such other amounts as may come into his hands as county
12 treasurer; and he shall, as such treasurer, at the close of each month, cancel
13 the county orders and jury certificates in his hands and return the same with
14 a descriptive list, giving numbers and amounts properly footed, to the county
15 clerk, who shall carefully compare and file the same in his office, subject to
16 the order of the county board, and give the treasurer a receipt for the same,
17 which receipt shall be the evidence upon which the county treasurer shall take
18 credit in his accounts as such treasurer, with the county, subject to the
19 approval of the county board. The county board shall examine such account
20 and vouchers, at such time or times, by committee or otherwise, as may be
21 deemed requisite.

§ 289. Each county clerk shall keep an account with the county collector,
2 charging him with the amount of county tax placed in his hands for collection,
3 and with the county tax received by him from sales and redemptions of for-
4 feited property, and with any other funds belonging to the county that shall
5 come into the collector's hands, and shall credit him with the amounts ascer-
6 tained as required in the preceding section, charged to the county treasurer's
8 account monthly; also, with amount of county tax on insolvencies, remov-
9 als, errors, forfeited property, etc., whenever ascertained in the manner
10 required by this act. The county clerks shall also keep a treasurer's account
11 with the county treasurer of their respective counties. The treasurer shall be
12 charged with the amount of money, county orders and jury certificates reported
13 in the collector's monthly statements required to be made in the preceding
14 section, and all amounts paid to the county treasurer from other sources than

15 the county revenue tax, and it is hereby made the duty of all persons paying
 16 money into the county treasury, for all purposes except the county taxes, to
 17 first obtain from the county clerk an order on the treasurer to receive the
 18 same; and the treasurer shall give the person so paying duplicate receipts
 19 therefor, one of which shall be countersigned by the county clerk, and retained
 20 by the person paying over the amount and the other filed in the county
 21 clerk's office and the amount thereof charged against the treasurer. The treas-
 22 urer's account shall be credited, monthly, with the amount of county orders
 23 and jury certificates cancelled and filed in the county clerk's office, as required
 24 in the preceding section.

§ 200. That all bridge structures across any navigable streams forming the
 2 boundary line between the State of Illinois and any other State, shall be assessed
 3 by the township or other assessor in the county or township where the same
 4 is located as real estate; and all provisions of law relating to the assessment
 5 and taxation of said real estate, shall apply to the assessment and taxation of
 6 such bridges. Such assessor shall give in his description the quarter section,
 7 section, township and range in which such bridge is located or terminates in
 8 this State, together with the metes and bounds of the ground occupied by
 9 such bridge, and the approaches thereto from the end on the Illinois shore to
 10 the centre of the main channel of the stream crossed by the same. For the
 11 purpose of obtaining such description the assessor may employ a competent
 12 surveyor, and the expense of making such survey and description shall be
 13 charged as a tax against such property by the county clerk, on the certificate
 14 of the surveyor: *Provided*, that one survey of any bridge and approaches,
 15 made under this act, shall be deemed sufficient for the purpose of subsequent
 16 assessment of such bridge or approaches.

§ 201. In default of the payment of any such tax assessed against any such
 2 bridge company, as aforesaid, such bridge, structure, and approaches thereto,
 3 so far as the same are located within this State, together with the land on
 4 which the same is located, as described by the assessor, and the franchise
 5 belonging thereto, shall be sold for such tax at the same time and in the

6 same manner as other real estate shall be sold in such county for delinquent
7 tax, and any county, city, town, school district or other municipal corporation
8 interested in the collection of the tax levied upon such bridge, may become
9 the purchaser at such sale, or at any sale of such property under judgment
10 recovered upon, or to enforce the collection of such tax; and if the property
11 so sold is not redeemed, may acquire, hold, sell and dispose of the title
12 thereto.

TELEGRAPH COMPANIES—RETURN.

§ 292. Any person, company or corporation using or operating a tele-
2 graph line in this state, shall, annually, in the month of May, return to
3 the Auditor of Public Accounts a schedule or statement as follows:

4 *First*—The amount of capital stock authorized, and the number of shares
5 into which such capital stock is divided.

6 *Second*—The amount of capital stock paid up.

7 *Third*—The market value, or if no market value, then the actual value
8 of the shares of stock.

9 *Fourth*—The total amount of all indebtedness, except current expenses
10 for operating the line.

11 *Fifth*—The length of line operated in each county, and the total in the
12 State.

13 *Sixth*—The total assessed valuation of all its tangible property in this
14 State.

15 Such schedules shall be made in conformity to such instructions and
16 forms as may be prescribed by the Auditor of Public Accounts, and with
17 reference to amounts and values on the first day of May of the year for
18 which the return is made.

§ 293. The Auditor shall annually, on the meeting of the State Board of
2 Equalization, lay before the said board the statement or schedule herein re-
3 quired to be returned to him; and said board shall assess the capital stock of
4 such telegraph company in the manner hereinafter provided. The tax charged
5 on the capital stock and all other property of telegraph companies shall be
6 placed in the hands of county collectors, in a book provided for that purpose,

7 the same as is required for railroad property, and may be included in same
8 book with railroad property.

§ 294. The office furniture and other personal property of telegraph com-
2 panies shall be listed and assessed in the county, town, district, village or
3 city where the same is used or kept.

LICENSE FOR CORPORATIONS.

§ 295. Every corporation organized under the laws of this State, for
2 pecuniary profit, and all foreign corporations doing business in this State shall,
3 between the first and twentieth days of January in each and every year,
4 procure from the Auditor of Public Accounts a license to carry on the specific
5 business of such corporation for the ensuing calendar year, which license
6 shall be issued upon the payment of five dollars into the State treasury, and
7 may be in the following form:

8 *Know all men, That.....* is hereby authorized and licensed
9 to carry on the express business in the State of Illinois, for one year, from
10 the first day of January, A. D., upon condition, however, that he obeys
11 in all respects, the revenue laws of said State, this license being subject at
12 all times to revocation by the State Board of Tax Commissioners.

13 Witness my hand this.... day of, A. D.....

14 *Auditor of Public Accounts.*

§ 296. If any corporation shall carry on business in this State without first
2 procuring such license, it shall be deemed guilty of a misdemeanor, and fined
3 not less than one hundred dollars nor more than five hundred dollars for each
4 offense, and each day's business so transacted shall be deemed to constitute an
5 offense hereunder. Every corporation subject to the provisions of this act, shall
6 between the first and twentieth days of January in each and every year, file
7 with said Auditor, a statement in writing, showing the place in this State where
8 the principal office of such corporation is located. If any such corporation shall
9 fail to pay the license provided for in section ... of this act, or shall fail to
10 make report as required, such corporation may, upon a bill in equity, be
11 enjoined by the State from prosecuting by itself or its agents, directly or

12 indirectly, its business in this State: *Provided*, that the payment of the
 13 license fee herein provided for, shall not be construed as exempting the
 14 property of any such corporation from any taxes or assessments to which it
 15 would otherwise be liable under any of the provisions of this act.

PENALTIES OF OFFICERS.

§ 297. If any county clerk shall deliver the tax books into the hands of the
 3 county collector, or if any collector shall receive said books or collect any
 4 taxes, until such collector's bond has been approved and filed, as required
 5 by this act, said clerk and collector, and each of them, shall be liable to
 6 a penalty of not less than five hundred dollars, and all damages and costs,
 7 to be recovered in an action of debt, and the Auditor shall bring suit
 8 therefor in the name of the People of the State of Illinois—the amount
 9 recovered on such fines to be paid into the State treasury as revenue
 10 fund. Nothing in this section shall be construed as relieving the securi-
 11 ties of a collector from liabilities incurred under a bond not approved and
 12 filed by the Auditor.

§ 298. If any county clerk shall fail to attend any tax sale of real
 2 estate, either in person or by deputy, or to make and keep the record, as
 3 required by this act, he shall be deemed guilty of a misdemeanor, and on
 4 conviction thereof be fined in any sum not less than \$300 nor more than
 5 \$500, and shall be liable to indictment for such failure, and, upon con-
 6 viction, shall be removed from office.

§ 299. If any county collector fails to account and pay over as required
 2 in this act, his office may be declared vacant by the county board, or by
 3 any court in which suit is brought on his official bond.

§ 300. If any officer shall fail or neglect to perform any of the duties required
 2 of him by this act, upon being required so to do by any person interested in
 3 the matter, he shall be liable to a fine of not less than ten dollars nor more than
 4 five hundred dollars, to be recovered in an action of debt in the circuit court
 5 of the proper county, and may be removed from office at the discretion
 6 of the court; and any officer who shall knowingly violate any of the pro-

7 visions of this act, shall be liable to a fine of not less than ten dollars nor
8 more than one thousand dollars, to be recovered in an action of debt, in the
9 name of the People of the State of Illinois, in any court having jurisdic-
10 tion, and may be removed from office at the discretion of the court, and
11 said fines, when recovered, shall be paid into the county treasury.

§ 301. Every county clerk, assessor, collector or other officer who shall in
2 any case refuse or knowingly neglect to perform any duty enjoined upon him by
3 this act, or who shall consent to or connive at any evasion of its pro-
4 visions, whereby any proceeding required by this act shall be prevented or
5 hindered, or whereby any property required to be listed for taxation shall
6 be unlawfully exempted, or the same be entered upon the tax list at less
7 than its fair cash value, shall, for every such offense, neglect or refusal,
8 be liable, on the complaint of any person, for double the amount of the
9 loss or damage caused thereby, to be recovered in any action of debt, in
10 the name of the People of the State of Illinois, in any court having
11 jurisdiction, and may be removed from his office at the discretion of the
12 court.

§ 302. Every county clerk, assessor, collector or other officer who shall
2 in any case refuse or knowingly neglect to perform any duty enjoined
3 upon him by this act, or who shall consent to or connive at any evasion
4 of its provisions, whereby any proceeding required by this act shall be
5 prevented or hindered, or whereby any property required to be listed for tax-
6 ation shall be unlawfully exempted or omitted, or the same be entered upon
7 the tax list at other than its fair cash value, shall, for every such offense,
8 neglect or refusal, be liable, on the complaint of any person, to be convicted
9 of a misdemeanor, and fined not less than \$300 nor more than \$500, and, in
10 the discretion of the court, may be removed from office by an order of the
11 court trying the cause, to be entered of record therein. And it shall be the
12 duty of the State Auditor to call the attention of all officers connected with
13 the levy and collection of taxes, to the provisions of this section.

[WHEN DESCRIPTION IN SPECIAL ASSESSMENT DIFFERENT FROM TAX BOOK.]

§ 303. When a return to the county collector has been made, or shall hereafter be made, of any real estate delinquent for any special assessment or annual installment thereof, levied by any incorporated city, town or village, or by any corporate authorities, commissioners or persons, pursuant to law, which assessment or installment thereof is required by law to be included in the advertisement and notice of application for judgment for State and county taxes, and the description or subdivision of any real estate described in such return is different from the description or subdivision thereof as described in the town or district collector's book returned to such county collector, it shall and may be lawful for the county collector to advertise all the real estate delinquent for any such assessment described in such return, according to the description thereof as contained in such return; but such advertisement shall be made at the same time, and shall form part of his advertisement of real estate delinquent for State and county taxes. [See §§ 178, 188.

§ 304. The said real estate so advertised may be described in the county collector's delinquent return, according to the description thereof, as contained in such return and advertisement; and like proceedings shall be had to the application for judgment, and the judgment thereon, the sale and issuance of the certificate of the sale thereof, redemption from such sales and issuance of deeds thereon, as may be required by law to be had in regard to lands delinquent for State and county taxes.

§ 305. Any incorporated city, town or village, or corporate authorities, commissioners or persons interested in any such special assessment or installment thereof, may become purchaser at any sale, and may designate and appoint some officer or person to attend and bid at such sale on its behalf.

§ 306. All cases where any special assessment, payable in installments, has been or hereafter shall be made by any corporate authority, for supplying water, or other corporate purpose, and the owner or owners of any lot, block or parcel of land so assessed, or some of them, shall desire to subdivide the same, and to apportion such assessment and the several installments thereof in such manner that each parcel of such proposed subdivision shall bear its just and

7 equitable proportion thereof, the same may be done in the manner following,
8 to-wit: The owner or owners of such lot, block or parcel of land shall
9 present to such corporate authority a petition, setting forth:

10 *First*—The descriptive character of the assessment and the date of the
11 confirmation of the same.

12 *Second*—The names of the owners.

13 *Third*—A description of the land proposed to be subdivided, together with
14 the amount of each installment thereon, and the year or years for which
15 the same are due.

16 *Fourth*—A plat showing the proposed subdivision.

17 *Fifth*—The proposed apportionment of the amount of each installment on
18 each lot or parcel, according to such proposed subdivision.

19 Such petition shall be acknowledged in the manner provided for the acknowledge-
20 ment of deeds; and if such corporate authorities shall be satisfied therewith, they
21 shall cause to be endorsed upon or attached to such petition their approval by
22 their clerk or secretary, under their corporate seal, and the same, so approved,
23 shall be filed and recorded in the office of the county clerk in which such land
24 shall be situated, and such apportioned assessment shall stand in place of
25 the original assessment, and the same and the several installments thereof
26 shall be deemed duly apportioned, and the several amounts so apportioned
27 shall be liens upon the several parcels charged, respectively; and for the pur-
28 pose of collecting the same, all proceedings shall be had and taken as if said
29 assessment and installments had been made and apportioned, in the first
30 instance, according to such apportioned description and amounts, and the
31 respective owners shall be held to have waived every and all objections to
32 such assessment and the apportionment aforesaid: *Provided*, this act shall
33 not apply to any lot, block or parcel of land on which there shall remain due
34 and unpaid any installment. In case the owners are unable to agree as to
35 such apportionment, or any of them are under legal disability, one or more
36 of them may file a petition with the circuit court of the county in which
37 such land so assessed is situated, substantially in form as hereinbefore pro-
38 vided; and in such case, such corporate authority, together with all owners

39 or persons interested, not joined as petitioners, and unknown owners, if any,
 40 shall be made parties defendant, and all proceedings in relation thereto shall
 41 be had as in cases in chancery. The court may hear and determine the
 42 case according to the right of the matter. A copy of the record of the pro-
 43 ceedings of the court in the premises, in case of an apportionment, duly
 44 certified, shall be filed and recorded in the office of such county clerk, and
 45 the same shall thereupon, as to the land therein embraced, the owners
 46 thereof, the apportionment aforesaid, and the collection of the several
 47 amounts apportioned, have the same force and effect as is hereinbefore
 48 provided in cases where such corporate authorities shall approve of a peti-
 49 tion, and file and record the same.

§ 307. The real and personal property within all incorporated towns
 2 and cities in every county in this State shall be taxable for all purposes,
 3 any local or special law in regard to exemption of any particular town
 4 or city to the contrary notwithstanding; and all provisions of law
 5 in conflict with this act are hereby repealed; but nothing herein shall be
 6 construed as authorizing the taxation of property allowed to be exempt by
 7 any general law now in force or that may hereafter be passed. And all laws
 8 requiring any city to support and provide for its paupers, to assume liabilities
 9 or perform duties required of counties by the general laws of this State, are
 10 hereby repealed; and the general laws of this State upon such subjects, in
 11 relation to counties and cities, shall be applicable to all counties and cities in
 12 the State.

GENERAL PROVISIONS.

§ 308. If any person or corporation required by this act to pay any tax
 2 or license fee directly into the State treasury, shall not pay the same within
 3 ninety days after the last day the same is payable under the provisions of
 4 this act, the Auditor of Public Accounts shall report such fact to the Attor-
 5 ney General, who shall exhibit a bill in equity, in the name of the State, in
 6 the circuit court of any county in this State in which such person or cor-
 7 poration does business or has property, or to the judge of such court in vaca-

tion, setting forth the facts, and thereupon it shall be the duty of such court or judge, upon being satisfied of the truth of such bill, to appoint a receiver of all and singular the property, business, franchises and effects of such person or corporation in this State, and from time to time, in term time or vacation, to make such orders and decrees as to the operation of the business or the sale of the property as will secure to the State all taxes and license fees due and accruing, together with all penalties, interest and costs, including a reasonable solicitor's fee, to be fixed by the court.

§ 309. Nothing in this act contained shall be construed to affect in any manner the provisions of the charter of the Illinois Central railroad company. approved February 10, 1851.

§ 310. An act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, and all amendments thereto; and an act entitled "An act in relation to the collection of taxes and special assessments," approved May 2, 1873; and all amendments thereto, and all other acts and parts of acts inconsistent herewith are hereby repealed.

§ 311. The repeal of said acts and parts of acts shall not be construed to impair any right existing, or affect any proceeding pending at the time this act shall take effect; but all proceedings for the assessment of property or levy or collection of any tax or special assessment then remaining incomplete, except as hereinafter provided, may be completed pursuant to the provisions of this act.

DEFINITIONS.

§ 312. The words and phrases following, whenever used in this act, shall be construed to include in their meaning the definitions set opposite the same in this section, whenever it shall be necessary to the proper construction of this act:

First. Assessor—Assessors.—Town, district and deputy assessors.

Second. Auditor.—Auditor of Public Accounts.

Third. Bank—Banker—Broker—Stock Jobber.—Whoever has money employed in the business of dealing in coin, notes or bills of exchange, or in the business of dealing in or buying or selling any kinds of bills of exchange,

10 checks, drafts, bank notes, promissory notes, bonds, or other writing obligat-
 11 tory, or stocks of any kind or description whatsoever, or receiving money on
 12 deposit.

13 *Fourth.* Collector—Collectors.—County, town, district and deputy col-
 14 lectors.

15 *Fifth.* County Board. The board of supervisors—the board of county
 16 commissioners.

17 *Sixth.* Company—Every corporation or association having shares of
 18 stock.

19 *Seventh.* Credits.—Every claim or demand for money, labor, interest or
 20 other valuable thing, due or to become due, not including money on deposit.

21 *Eighth.* He.—Male, female, company, corporation, firm, society, singular or
 22 plural number.

23 *Ninth.* Money—Moneys.—Gold, silver or other coin, paper or other cur-
 24 rency used in barter and trade as money, in actual possession, and every
 25 deposit which the person owning, holding in trust, or having the beneficial
 26 interest therein, is entitled to withdraw in money on demand.

27 *Tenth.* Number.—The singular number shall include the plural, and the
 28 plural number shall include the singular.

29 *Eleventh.* Oath.—Oath or affirmation.

30 *Twelfth.* Person—Persons.—Male, female, corporation, company, firm, so-
 31 ciety, singular or plural number.

32 *Thirteenth.* Real Property—Real Estate—Land—Tract—Lot.—Not only the
 33 land itself, whether laid out in town or city lots, or otherwise, with all things
 34 contained therein, but also all buildings, structures and improvements, and
 35 other permanent fixtures, of whatsoever kind, thereon, and all rights and
 36 privileges belonging or in anywise pertaining thereto, and all undivided interests
 37 therein, except where the same may be otherwise denominated by this act.

38 *Fourteenth.* Railroad—Shall not be construed to include any street or
 39 dummy railway.

40 *Fifteenth. Shares of Stock—Shares of Capital Stock.*—The shares into
 41 which the capital or stock of every incorporated company or association may
 42 be divided.

43 *Sixteenth.* When any date fixed by this act shall fall on Sunday, such date
 44 shall be construed to mean the following Monday.

45 *Seventeenth. Tax—Taxes.*—Any tax, special assessments or costs, interest or
 46 penalty imposed upon property.

§ 313. In all counties not under township organization, the county court,
 2 or judge of the county court, as the case may require, shall perform all the
 3 duties required in this act to be performed by the county board, or chairman
 4 of the county board, as the case may be, in such counties, until such time as
 5 the board of county commissioners shall be duly elected and qualified in said
 6 counties.

BONDS—OFFICIAL.

§ 314. [When Additional or New Bonds may be Required.] That all official
 2 bonds required by law to be given by any public officer, or public employe;
 3 including executors, administrators, guardians and conservators, in this State
 4 shall be signed and sealed by any said officer, employe, executor, adminis-
 5 trator, guardian or conservator, and his securities, and acknowledged before
 6 some officer authorized by law to take acknowledgments of instruments under
 7 seal, which said acknowledgments shall be substantially in the following form:

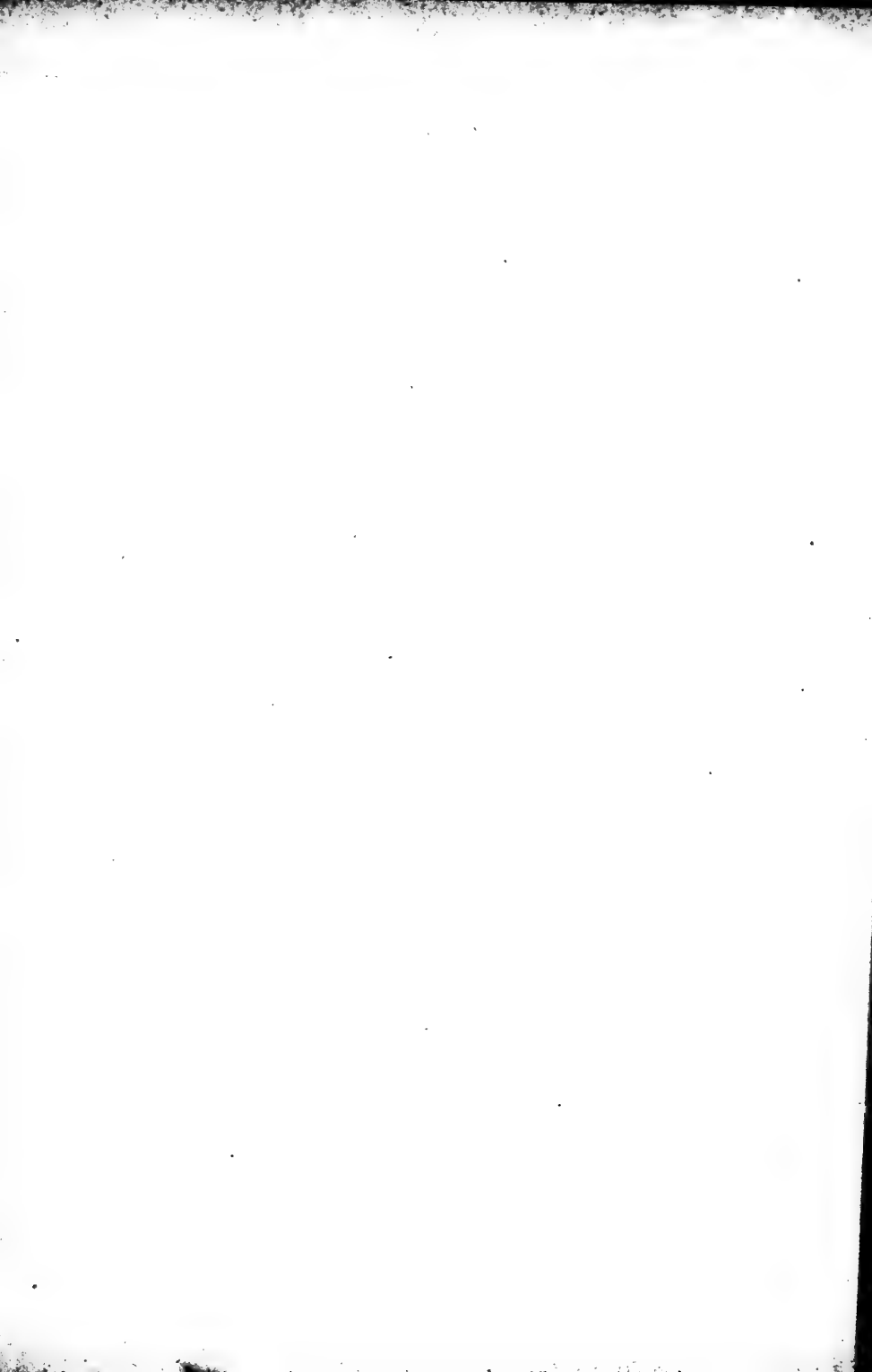
8 STATE OF } ss.
 9 County of }

10 I,, hereby certify that, who are each personally
 11 known to me to be the same persons whose names are subscribed to the
 12 foregoing instrument, appeared before me this day in person and acknowl-
 13 edged that they signed, sealed and delivered said instrument as their free
 14 and voluntary act, for the uses and purposes therein set forth.

15 Given under my hand and seal, this day of A. D....

16 Which acknowledgment shall be deemed and taken as *prima facie* evidence
 17 that the instrument was signed, sealed and acknowledged in the manner

18 therein set forth, and such acknowledgments shall have the same force and
19 and effect as evidence in all legal proceedings, as that given to acknowl-
20 edgment of deeds of conveyance of real estate. That all public officers or
21 employes who are compelled to give official bonds may be required by the
22 court, officer, or board whose duty it is to take or approve such bonds,
23 to give additional surety or new bonds whenever the security of the original
24 bond has become insufficient by the subsequent insolvency, death or removal
25 of the sureties or any of them, or when for any cause any such bond shall
26 be deemed insufficient. Any officer or employe failing to give bond when
27 required, pursuant to this section, within ten days after he is notified in
28 writing of such request, shall be deemed to have vacated his office.



AMENDMENTS TO SENATE BILL NO. 395,

Adopted by the Senate on second reading. Bill ordered to third reading, May 20, 1887, as printed with the following additional amendments thereto:

“Amend section 23 by striking out the word ‘county’ in line 13 and
2 insert the word “states.”

3 Amend section 24 by striking out the word “county” in the 8th line and
4 insert in lieu thereof the word “states.”

5 Amend section 3 of bill by striking out of the 4th clause all of line twelve
6 after the word “provided” and all of lines 13 and 14.

7 Amend by striking out of lines 10 and 11, as printed, of section 78, all
8 between the words “signed” in line 10 and “by” in line 11.

9 Amend section 86 by striking out the words “on said day” in line 19 of
10 printed bill and inserting the following: “And the reviewing of the assess-
11 ment of their town.”

12 Amend the second clause of section 2 by inserting after the word “worship”
13 in line 7, the following, “or as a parsonage.”

14 Amend section 226, as printed, by adding after the word “shall” in line 1,
15 the word “also.”

16 Amend by striking out all of section 230 down to and including the
17 word “taxes” in line 6, as printed, and insert the following:

18 “Section 230. If any real property forfeited to the State shall not be
19 redeemed before the county clerk makes up the collectors’ books for the
20 year, it shall be his duty, when making up the taxes and special assess-
21 ments due on such real property for the current year, to add thereto
22 the back taxes, special assessments, penalties and costs for which it was
23 forfeited; and extend the aggregate amount upon the collectors’ books for
24 that year as taxes and special assessments are extended on other real estate;
25 and the collector shall collect the same and pay them over in like manner as
26 taxes on other real estate are collected and accounted for. But if any lot
27 or tract of land shall be divided and assessed to several persons before the
28 time of making up the amount of taxes due on the same for the current

29 year, the clerk shall apply to the assessor, who shall make and subscribe a
 30 certificate showing the assessed value of the respective parts of such lot, or
 31 tract of land, for the year or years for which the back taxes were extended;
 32 and the clerk shall apportion such back taxes, interest penalties and costs
 33 to the respective parts of such lot or tract of land, in proportion to the
 34 assessed value of such parts as certified by the assessor, and shall add the
 35 same to the tax of the current year on such part: *Provided*, the county
 36 clerk shall first carefully examine said list of forfeited real estate, and cor-
 37 rect all errors which he may find therein with respect to such property on
 38 the taxes and special assessments thereon, and such additions shall continue
 39 from year to year until the taxes are paid, the property sold, or a bill filed
 40 against it under the provisions of this act."

41 Also strike out all after the word "taxes" in the 13th line of printed bill
 42 of said section 230.

43 Amend section 256 by striking out all of said section after the word
 44 "property" in line 4.

45 Amend by striking out of line 4, section 293 of printed bill, the word "here-
 46 inafter" and inserting in lieu thereof, the word "herein."

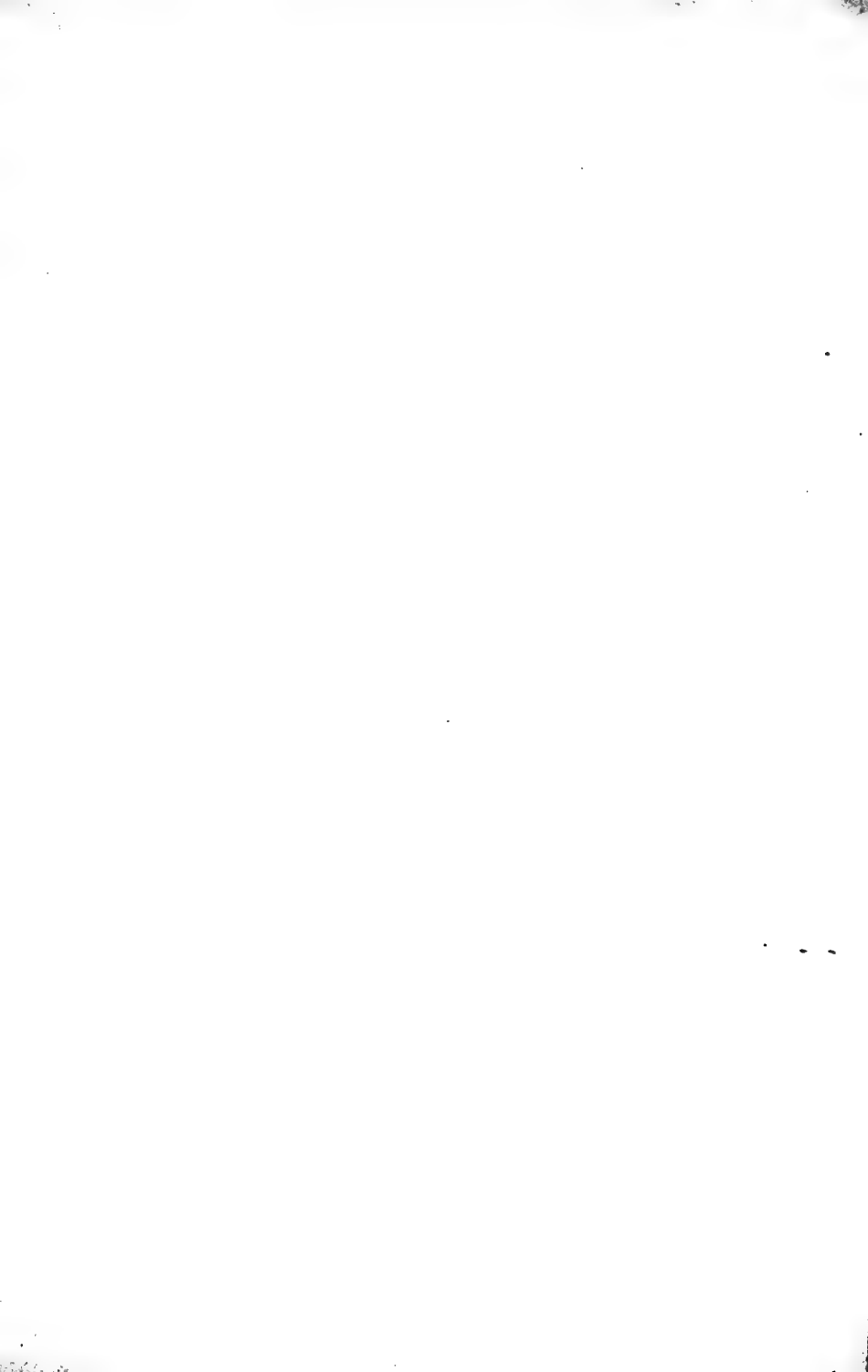
47 Amend by striking out all of section 314.

AMENDMENTS TO SENATE BILL NO. 395.

Adopted by the Senate May 24, 1887, on second reading. Bill ordered to third reading, May 24, 1887, as printed, and with amendments before printed, and with the following additional amendments thereto:

Amend section 28 by adding thereto the following; "Nor on account of
2 any indebtedness incurred in the purchase or procurement of United States
3 bonds or notes; or any other non-taxable securities then owned by such
4 person or persons, company or corporation."

5 Amend section 30 by striking out the words "so much of" in line 33 of
6 printed bill, and by striking out line 34 and all of line 35 preceding the
7 word "and."

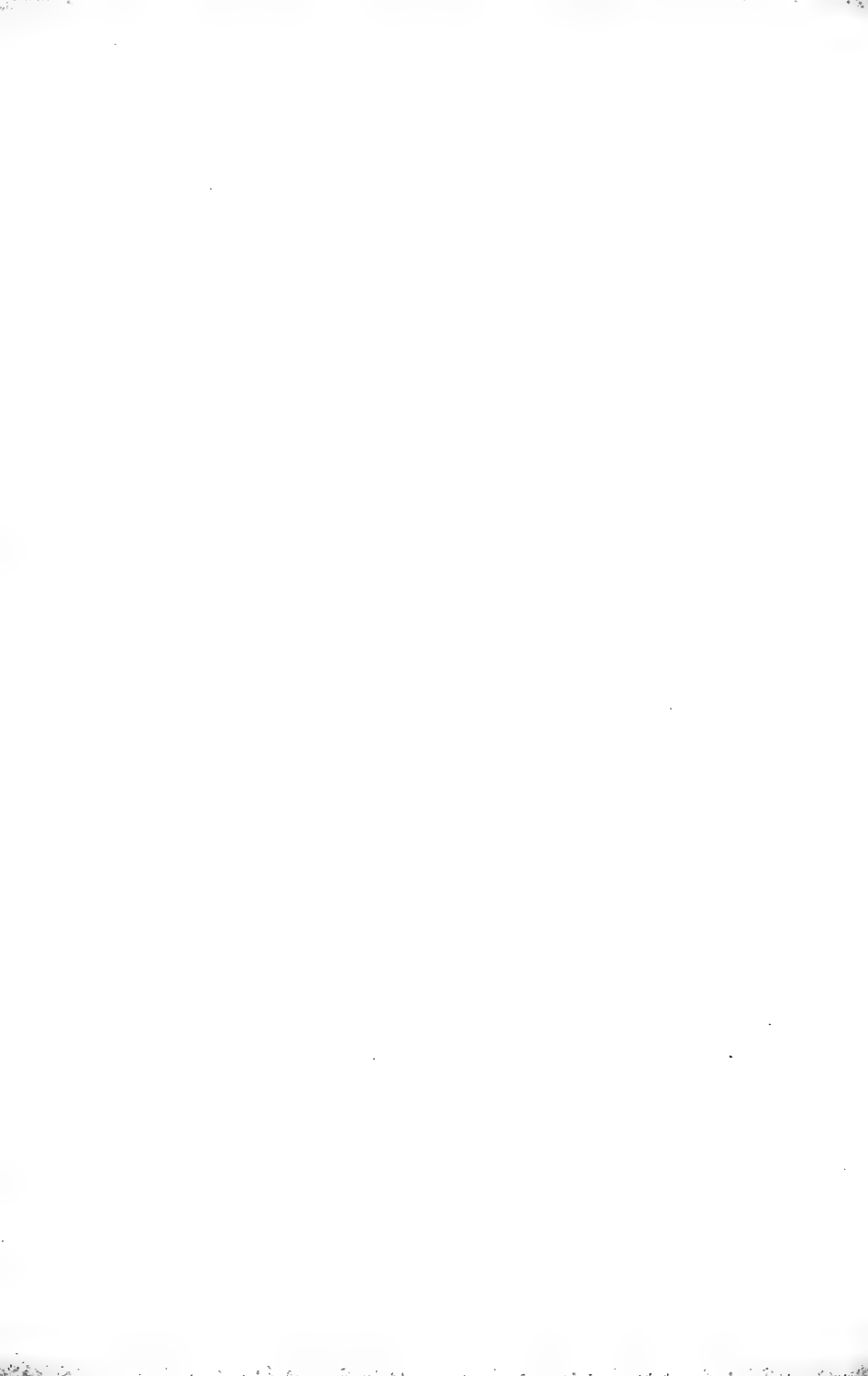


1. Introduced by Mr. Bacon, of Edgar, April 22, 1887, and ordered to first reading.
 2. First reading April 22, 1887, and ordered to second reading without reference.
-

A BILL

For An Act to prevent the abandonment of children and to provide a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* when any child under the age of one year shall be abandoned by its parents, guardian, or any other person having legal control or custody thereof, such person or persons shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars, or more than one thousand dollars, or by imprisonment in the penitentiary not exceeding three years, or by both fine and imprisonment, in the discretion of the court.



1. Introduced by Mr. Humphrey, April 22, 1887, and ordered to first reading.
2. First reading April 22, 1887, and referred to Committee on License and Miscellany.
3. Reported back April 29, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 6 of an act entitled "An Act to insure the education of practitioners of Dental Surgery, and to regulate the practice of Dentistry in the State of Illinois," approved May 30, 1881; in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section 6 of an act entitled "An act to insure
3 the education of practitioners of dental surgery, and to regulate the practice
4 of dentistry in the State of Illinois, approved May 30, 1881; in force July 1,
5 1881," is hereby amended so as to read as follows: "Any and all persons who
6 shall desire may appear before said board at any time of its regular meetings
7 and be examined with reference to their knowledge and skill in dentistry, and
8 if the examination of any such person or persons shall prove satisfactory to
9 said board, the board of examiners shall issue to such person as they shall
10 find qualified a license to practice dental surgery and mechanical dentistry in
11 accordance with the provisions of this act. Any person or persons may apply
12 to said board to be examined as aforesaid in mechanical (prosthetic) dentistry
13 only, and if qualified therefor said board shall issue a license to such person
14 to practice mechanical (prosthetic) dentistry in accordance with the provisions
15 of this act: *Provided, however,* that persons receiving a license to practice
16 mechanical (prosthetic) dentistry only shall not be authorized to extract
17 teeth or treat the natural teeth other than so far as pertains to mechanical

18 dentistry. Said board shall at all times issue a license to any regular graduate
19 of any reputable dental college without examination upon the payment by
20 such graduate to the said board of a fee of one dollar. All licenses
21 issued by said board shall be signed by the members thereof and be attested
22 by its president and secretary, and such license shall be *prima facie* evidence
23 of the right of the holder to practice dentistry in the State of Illinois in
34 accordance with this act and the terms of said license."

-
1. Introduced by Mr. Washburn, April 25, 1887.
 2. First reading April 25, 1887, and referred to Committee on Judiciary.
 3. Reported back with amendments, passage recommended, and ordered printed and to a second reading.
 4. Second reading April 28, 1887, amended, and ordered to third reading.

A BILL

For An Act to permit towns, cities or villages incorporated by special charter to convey real estate for school purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any town, city or village incorporated by a
3 special charter granted by the General Assembly of the State of Illinois, hold-
4 ing title to or having an interest in any real estate, may by proper deed of
5 conveyance executed by the corporate authorities of said town, city or village,
6 when authorized by ordinance, sell and convey the same to the trustees of
7 schools of the township in which such real estate is situate, to be used as a
8 school site for the school district in which such real estate is situated.



-
1. Introduced by Mr. Hill, April 26, 1887, and ordered to first reading.
 2. First reading, April 26, 1887, and ordered to second reading without reference.

A BILL

For an act in regard to the serving of process on Receivers of Corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the receiver or receivers of any incorpor-
3 ated company may be served with process, by leaving a copy of such
4 process with such receiver or receivers, if he or they can be found in the
5 county in which the suit is brought; if he or they shall not be found
6 in the county, then by leaving a copy of such process with any clerk,
7 secretary, superintendent, general agent, engineer, conductor, station agent,
8 or any agent, in the employ of such receiver or receivers.



1. Introduced by Mr. Sumner, April 26, 1887, and ordered to first reading.
2. First reading, April 26, 1887, and referred to Committee on Judicial Department.
3. Reported back, April 29, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections eight (8), and ten (10), of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections eight (8) and ten (10) of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, be and the same are hereby so amended as to read as follows:

7 "Section 8. The Board of Directors shall hold such stated meetings, not less frequently than once a month, as may be provided by the by-laws at which the money in the treasury, if one hundred dollars, or more, shall be offered for loan in open meeting; and the stockholders who shall bid the highest premium, for the preference or priority of loan, shall be entitled to receive a loan of one hundred dollars, for each share of stock held by said stockholder; the said premium bid may be deducted from the loan in one amount, or may be paid in such proportionate amounts or instalments, and at such times during the existence of the shares of stock borrowed upon, as may be designated by the by-laws of the respective associations: *Provided, that* no loan shall be made by said corporation to its own members, nor in any

18 sum in excess of the amount of stock held by such members borrowing:
19 *And, provided*, that such stockholder may borrow such fractional part of one
20 hundred dollars as the by-laws may provide. Good and ample real estate se-
21 curity unencumbered, except by prior loans of such association, shall be given
22 by the borrower, to secure the repayment of the loan: *Provided*, however,
23 that the stock of such association may be received as security, to the amount
24 of the withdrawal value of such stock."

25 "Section 10. A borrower may repay a loan at any time, and in the event
26 of the repayment thereof before the expiration of the eighth year after the
27 organization of the association, or the date of issue of the series of stock in
28 such association on which the loan may have been made, there shall be re-
29 funded to such borrower one-eighth of the premium paid for every year of the
30 said eight years then unexpired: *Provided*, that where the said premium has
31 not been deducted from the loan but paid in instalments, there shall be no
32 premium refunded; and any mutual building, loan and homestead association,
33 which may have heretofore been incorporated under the laws of the State of
34 Illinois, may avail itself of all the powers conferred by this act."

1. Introduced by Mr. Leman April 27, 1887, and ordered to first reading.
2. First reading April 27, 1887, and referred to Committee on Judicial Department.
3. Reported back June 2, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 33 of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874, and as amended by act approved May 21, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section thirty-three of an act entitled "An*
3 *act concerning fees and salaries and to classify the several counties of this*
4 *State with reference thereto," approved March 29, 1872, in force July 1, 1872,*
5 *title as amended by act approved March 28, 1874, in force July 1, 1874, and*
6 *as amended by act approved May 21, 1877, in force July 1, 1877, be and the*
7 *same is hereby amended so as to read as follows, to-wit:*
8 "Section 33. At the time of the commencement of every suit at law or in
9 equity in any court of record in counties having a population exceeding seventy
10 thousand inhabitants in this State, the party or parties commencing such suit,
11 or in case of an appeal from an inferior court, the party or parties, appellant
12 or appellants, or in case of an application for judgment upon any special
13 assessment or special tax levied by any incorporated town or city, such town
14 or city shall pay to the clerk of the court the sum of ten dollars to be taxed
15 as costs in the suit, which said sum shall be in full payment for all services

16 of such clerk on behalf of the plaintiff or plaintiffs, complainant or complain-
17 ants, petitioner or petitioners, appellant or appellants, in the progress of such
18 suit from the commencement to the final termination thereof, except the making
19 of copies of papers or orders, a complete record or a record for a higher court:
20 *Provided, however,* that in all cases of appeal from a justice of the peace,
21 when the appellant shall file in the office of the justice of the peace in such
22 counties, his bond required by section sixty-two (62) of an act entitled "An
23 act to provide for the election and qualification of justices of the peace
24 and constables, and to provide for the jurisdiction and practice of justices
25 of the peace in civil cases and fix the duties of constables, and to repeal
26 certain acts therein named," approved April 1, 1872; he shall also, and at
27 the same time pay the ten dollars mentioned in this section to the justice
28 for the use of the clerk of the court to which the appeal is taken, and
29 upon failure to do so it shall be the duty of the justice not to allow the ap-
30 peal. And in case of any application for judgment for city, county, State
31 town or other general taxes, there shall be paid to the clerk by the cor-
32 poration so applying for judgment the sum of three cents for each and
33 every tract of land upon which judgment shall be rendered by the court,
34 which said sum shall be in full payment for all services to [performed by
35 such clerk in the progress of such suit, upon such application from its
36 commencement to the final termination thereof, and the defendant or defend-
37 ants, respondent or respondents, appellee or appellees, before he or she
38 shall be entitled to enter his or her appearance or file any pleas, answer
39 or demurrer in any suit at law, or in equity, shall pay to the clerk of
40 the court the sum of three dollars to be taxed as costs in the suit, which
41 in like manner, shall be in full payment of and for all services rendered
42 or to be rendered by the clerk for or on behalf of such defendant, re-
43 spondent or appellee in or during the progress of such suit to the final
44 termination thereof, except for the making of copies of papers or records,
45 a complete record, or a record for a higher court. Clerks of courts of
46 record in this State in counties of the third class, shall be allowed further
47 fees as follows: For taking and certifying the acknowledgment of a deed

48 or other writing, twenty-five cents; for swearing any person to an affidavit
49 not to be used in a case in the court of which he is clerk, with certifi-
50 cate and seal, twenty-five cents; for each certificate and seal not in a case
51 in the court whereof he is clerk, twenty-five cents; for making and cer-
52 tifying a copy of any paper or record in any case or proceeding and for
53 taking depositions, for every one hundred words, ten cents; for filing declara-
54 tion of intention to become a citizen, administering oath to applicant and
55 certifying declaration under seal, fifty cents; for filing papers on applica-
56 tion for naturalization, for administering oaths to party and witnesses, for
57 making entry of record of naturalization and for making and certifying
58 copy of same under seal of court, fifty cents.

1. Introduced by Mr. Shutt, April 27, 1887, and ordered to first reading.
2. First reading April 27, 1887, and referred to Committee on Judiciary.
3. Reported back May 4, 1887, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to empower the trustees or boards organized under the general incorporation act of the State of Illinois, to manage and protect monuments, and also to appoint a custodian for the same and to fix his compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the board of managers or trustees of monu-
3 ment associations organized under the general incorporation act of this State,
4 be and the same are hereby empowered to appoint a custodian, and fix the
5 salary of the same: *Provided, however,* that the above power is only con-
6 ferred on the trustees and managers of such incorporations as have at said
7 monuments for safe keeping, or for public view, valuable personal property in
8 the nature of memorials, relics, mementos and other valuables to perpetuate
9 the memory of the dead which said monument was erected to commemorate.

AMENDMENTS TO SENATE BILL No. 404, PROPOSED BY COMMITTEE ON JUDICIARY.

Amend by adding to section one the following: "Which salary shall be paid
2 quarterly on vouchers approved by the president of the board of managers or
3 trustees, as aforesaid, out of the State treasury, on warrants drawn by the
4 State Auditor.

5 And add to the proviso of said bill the following: "and shall only apply to such
6 monuments as the State has made appropriations to erect."



1. Introduced by Mr. Shutt, April 27, 1887, and ordered to first reading.
2. First reading, April 27, 1887, and referred to Committee on Judiciary.
3. Reported back May 4, 1887, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 23, 1887, and ordered to third reading.
5. Third reading May 31, 1887, and ordered referred to Committee on Judicial Department.
6. Reported back June 7, 1887, with amendments, and ordered to second reading.

A BILL

For An Act to empower the trustees or boards organized under the general incorporation act of the State of Illinois, to manage and protect monuments, and also to appoint a custodian for the same and to fix his compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That the board of managers or trustees of monu-
3 ment associations organized under the general incorporation act of this State,
4 be and the same are hereby empowered to appoint a custodian, and fix the
5 salary of the same, which salary shall be paid quarterly on vouchers approved
6 by the president of the board of managers or trustees, as aforesaid, out of
7 the State treasury, on warrants drawn by the State Auditor: *Provided,*
8 *however,* that the above power is only conferred on the trustees and mana-
9 gers of such incorporations as have at said monuments for safe keeping,
10 or for public view, valuable personal property in the nature of memorials,
11 relics, mementoes and other valuables to perpetuate the memory of the
12 dead which said monument was erected to commemorate, and shall only
13 apply to such monuments as the State has made appropriations to erect.

AMENDMENT TO SENATE BILL No. 404.

Amend by adding at the end of bill the following: "*Provided, further,*
2 that the custodian appointed shall have been an honorably discharged soldier
3 or sailor of the United States, and shall have served as such for not less
4 than one year, and that his salary shall not exceed the sum of fifteen
5 hundred dollars (\$1500) per annum."

1. Introduced by Mr. Brown, of Edgar, May 2, 1887, and ordered to first reading.
2. First reading May 2, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back May 26, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading-rooms," approved and in force March 7, 1872, by authorizing the establishment and maintenance of such libraries and reading-rooms in school districts, and to require Superintendent of Public Instruction to prepare list of books for use of public libraries.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That* "An act to authorize cities, incorporated
3 towns and townships to establish and maintain free public libraries and read-
4 ing-rooms," approved and in force March 7, 1872, be amended by the addition
5 of 5 sections, to be numbered sections 13, 14, 15, 16 and 17, said sections to
6 read as follows:
7 "Section 13. When fifty legal voters of any school district containing not
8 less than 5,000 inhabitants in any one or more incorporated towns or town-
9 ships in which no public library has been established, shall present a petition
10 to the school directors or board of education, asking that an annual tax may
11 be levied for the establishment and maintenance of a free library and reading-
12 room in such school district, and shall specify in their petition a rate of tax-
13 ation not to exceed two mills on the dollar, such directors or board education
14 in the next legal notice of the annual election in such school district give

15 notice as provided for in section 10 of this act, specifying in such notice the
 16 rate of taxation mentioned in said petition, and if the majority of all the
 17 votes cast in such district shall be "For the tax for a free library," the tax
 18 specified in such notice shall be levied upon all the taxable property in such
 19 district, and shall be certified to the township treasurer by the school directors
 20 or board of education of the said district and returned by him to the county
 21 clerk, and collected in like manner with other taxes.

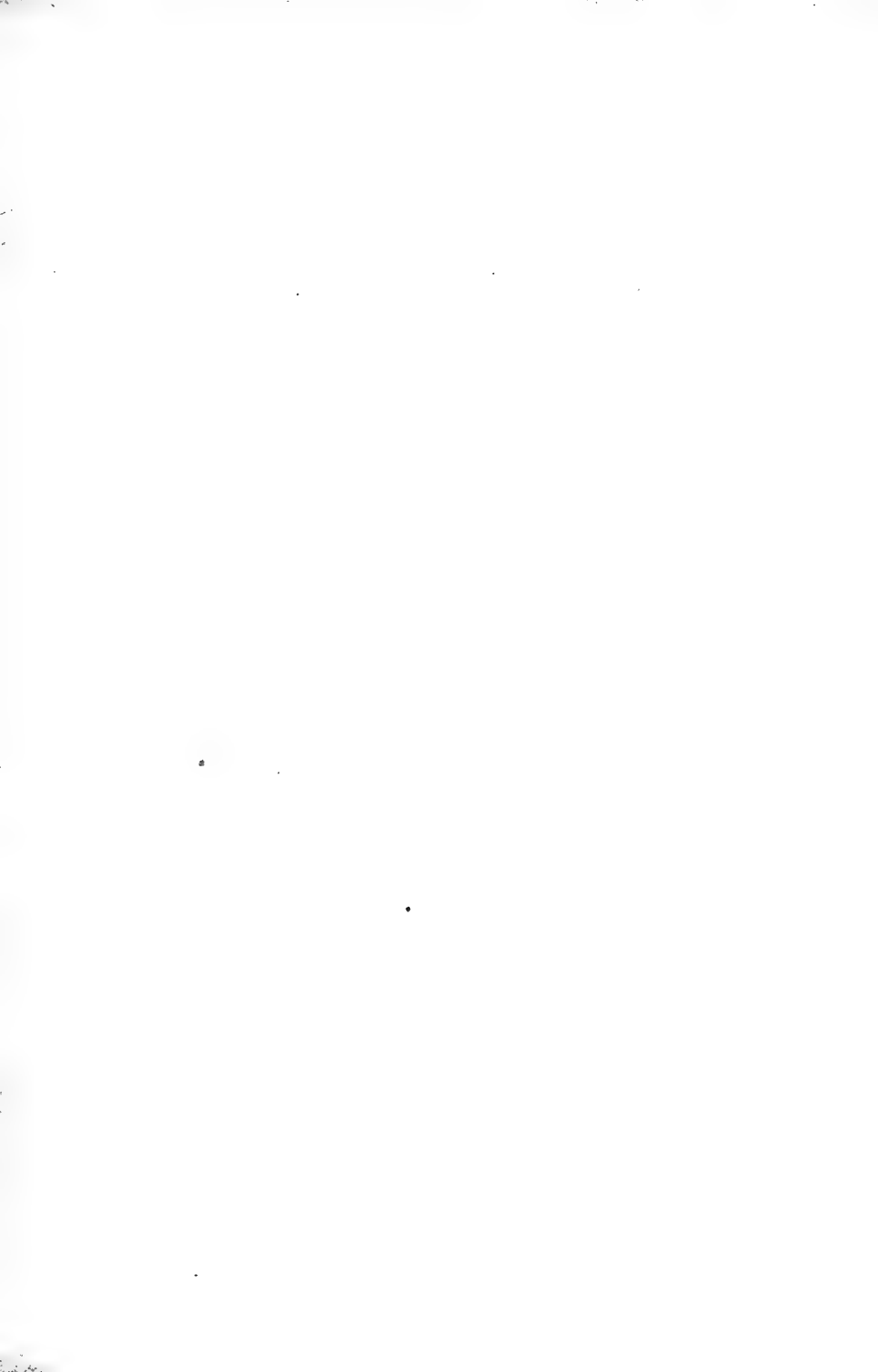
22 "Section 14. At the next regular election thereafter in such district there
 23 shall be elected a library board of six directors, one-third for one year, one-
 24 third for two years, and one-third for three years; and annually thereafter
 25 there shall be elected two directors, who shall hold their office for three years
 26 and until their successors are elected and qualified, which board shall have
 27 the same powers as are by this act conferred upon the board of directors
 28 of free public libraries in cities.

29 "Section 15. If any incorporated town or township within such school dis-
 30 trict, or the greater part thereof lies, shall establish a public library, after
 31 the establishment of a public library by such school district, it shall be
 32 the duty of the township treasurer, upon application by the directors of
 33 of such district or board of trustees of such incorporated town or town-
 34 ship, to give notice that at the next regular election for school directors
 35 or members of the board of education in such township there will be
 36 voted upon the proposition to consolidate said libraries, and if the major-
 37 ity of all votes cast in such district, and also the majority of all votes
 38 cast in such district, and also the majority of all votes cast in the town
 39 or township exclusive of said district shall be in favor of the proposition,
 40 then the directors of the libraries so to be consolidated shall appraise all
 41 books and other property belonging to said district library, and shall
 42 transfer the same to the township library for the use thereof. If any
 43 property cannot be so transferred or made available for the use of the
 44 township library, it shall be sold and the proceeds turned over to the
 45 township library. Thereupon the duties of the directors of the district
 46 library shall cease, and the annual tax for its maintenance be discontinued,

47 and the amount at which such property was appraised, together with
48 the amount received from any sale thereof, shall be placed on the books
49 of the district treasurer to the credit of such district. Any two or more
50 libraries in contiguous school districts of the same town or township may
51 be consolidated in like manner, but not less than one member of the
52 library board of directors of such consolidated library shall be from each
53 of the aforesaid districts.

54 "Section 16. Should any school district or township in which a public
55 library is established as hereinbefore provided become annexed to any city in
56 which there is or may thereafter be a free public library such district or
57 township library may be incorporated with or made a branch of the public
58 library of such city in such manner as may be agreed upon by the directors of such
59 libraries: *Provided*, That no property within the limits of any district or
60 township shall be taxed for the maintenance of more than one public
61 library at one time.

62 "Section 17. It shall be the duty of the State Superintendent of Public
63 Instruction to prepare a list of books which are suitable for public libra-
64 raries, which list he may from time to time amend; to advertise for
65 proposals for furnishing the same, and to contract with the lowest respon-
66 sible bidder to furnish said books to the libraries ordering them, in
67 binding and at stipulated prices; said contracts to be made biennially, and
68 the advertisement for proposals to be inserted in at least two papers of the
69 largest circulation in the State for one month before making the contract.
70 Within 60 days after making said contract the State Superintendent shall
71 send to the directors of every public library in the State a list of the
72 books contracted for with the prices of the same, from which list said
73 directors may select and purchase books: *Provided*, that nothing herein
74 contained shall prevent any board of directors from purchasing such other
75 books as they may desire.



1. Introduced by Mr. Gibbs, May 4, 1887, and ordered to first reading.
2. First reading May 4, 1887, and referred to Committee on Municipalities.
3. Reported back May 10, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to organize the City of Chicago into a Drainage District, and to define the powers and duties of the corporate authorities thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That the City of Chicago is hereby organ-*
3 *ized as a drainage district, and the corporate authorities of such city*
4 *may exercise the powers conferred by an act entitled "an act to vest the*
5 *corporate authorities of cities and villages with power to construct, main-*
6 *tain and keep in repair drains, ditches, levees, dykes and pumping works*
7 *for drainage purposes, by special assessment upon the property benefited*
8 *thereby," approved June 22, 1885, and are hereby vested with the further*
9 *powers hereinafter granted.*

§ 2. Such corporate authorities may lay out, construct and maintain a
2 cut-off drain or ditch for the diversion of the flood waters of the Desplaines
3 river into Lake Michigan at some point north of the city of Chicago, for
4 the relief and in aid of the drainage system established or to be estab-
5 lished within said district, the location and route, dimensions and capacity
6 of such cut-off to be determined by said corporate authorities. If the loca-
7 tion of such cut-off shall occupy a portion of the North Branch of the
8 Chicago River, said North Branch may be widened and deepened as shall
9 be required. Such cut-off or diversion may be so constructed and main-
10 tained as to answer the purpose of a drain for the lands through which

11 it shall pass, and such corporate authorities may allow said lands to be
12 drained into the same upon such terms and conditions as they may deter-
13 mine.

§ 3. No more of the water of the Desplaines river shall be diverted by
2 any such cut-off than the excess above the ordinary water mark in said
3 stream. At the point of diversion there shall be constructed and main-
4 tained such dams and sluices as shall control and regulate the amount of
5 such diversion at all times. During dry weather no water shall be diverted
6 into Lake Michigan and during floods no more water shall be allowed to
7 pass said point of diversion down the river than three thousand (3,000)
8 cubic feet per second.

§ 4. Such corporate authorities may construct and maintain, if the same
2 shall be found desirable and expedient, a dam across what is known as the
3 Mud Lake Valley on or near the line of sections 6 and 7, township 38,
4 north range 13, east of the third principal meridian, of such dimensions
5 and elevation as may be determined upon.

§ 5. Such corporate authorities may acquire by purchase, gift, condemna-
2 tion or otherwise all the real and personal property, right of way and ease-
3 ments within or without the district necessary for the construction and
4 maintenance of the works hereby authorized, and shall have the same control
5 and jurisdiction of the property without as that of within the district. They
6 shall have the right to construct the cut-off herein authorized, across, under,
7 over, along, or upon any water course, street, highway, public ground, rail-
8 road or turnpike which the route of the same may intersect or touch; but
9 shall not interrupt the use thereof longer nor to a greater extent than shall
10 be necessary for the purpose.

§ 6. Whenever it shall be necessary to take or damage private property,
2 for any purpose contemplated by this act, whether within or without said
3 drainage district, the compensation therefor may be ascertained and the pro-
4 ceedings for the condemnation thereof may be had in the manner provided
5 in article nine of an act entitled "an act to provide for the incorporation of

6 cities and villages," approved April 10, 1872, and the cost of constructing
7 and maintaining the improvements herein provided for may be defrayed by
8 special assessment upon the property benefited thereby within such district
9 only. Said assessments to be levied and collected as provided in said
10 article nine.



1. Introduced by Mr. Leman, May 5, 1887, and ordered to first reading.
2. First reading, May 5, 1887, and referred to committee on Judicial Department.
3. Reported back May 12, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize the erection of buildings in Lincoln Park for the use of the Newberry Public Library.

WHEREAS, The late Walter L. Newberry provided in his will a fund for
2 the establishment and maintenance of a Free Public Library in the North
3 Division of the city of Chicago, and Lincoln Park is a suitable location for
4 the accommodation of the public; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That the Commissioners of Lincoln Park shall*
3 *have authority to allow proper and suitable buildings to be erected in said*
4 *park at a place to be selected by them for the use of such library, and*
5 *under such regulations as to the control thereof as they may determine,*
6 *consistent with the provisions of the will of the late Walter L. Newberry.*



1. Received from House May 25, 1887, and ordered to first reading.
2. First reading May 25, 1887, and referred to Committee on Appropriations.
3. Reported back June 3, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to pay the Burlington Manufacturing Company for the marble tiling to complete the rotunda or first floor of the State House.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of seven thousand two hundred and seventy-eight dollars (\$7,278), be and the same is hereby appropriated to pay the Burlington Manufacturing Company for the marble tiling furnished by order of the State House Commissioners to complete the tiling of the first story rotunda of the State House, payable as hereinafter provided out of any moneys in the treasury not otherwise appropriated.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for said amount out of the moneys of the treasury not otherwise appropriated, payable to the Burlington Manufacturing Company.



1. Introduced by Committee on Judicial Department May 13, 1887, and ordered to first reading.
2. First reading May 13, 1887, and ordered to second reading without reference.

▲ BILL

For An Act to provide a survey of the wet and swamp lands of the State.

2 WHEREAS, By the act of Congress of September 28, 1850, and subse-
3 quent acts, over three millions (3,000,000) acres of swamp and over-
4 flowed lands have been claimed of the government by the representatives
5 of the several counties in Illinois in which said swamp and overflowed
6 lands are situated; and

7 WHEREAS, The donation of these lands by the act of Congress was to
8 "enable the several States to construct the necessary levees and drains
9 to reclaim the swamp and overflowed lands therein," and "the proceeds
10 of said lands, whether from sale or by direct appropriation in kind, shall
11 be applied exclusively as far as necessary, to reclaiming said lands by
12 means of levees and drains;" therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That in order to determine the extent of the
3 large areas of wet, swamp and overflowed lands in this State, and have
4 prepared accurate lists and plats of all such lands in the several counties,
5 and to obtain settlement with the United States for lands designated by
6 act of Congress as swamp and overflowed lands, the Governor shall appoint,
7 subject to the approval of the Senate, a competent and skillful surveyor and
8 experienced practical civil engineer of recognized qualification, to superin-
9 tend the surveys provided for in this act.

§ 2. It shall be the duty of said surveyor and engineer to make all surveys provided for in this act at such time and in such way as may be required of him by the State Board of Agriculture, and he shall report and file all surveys, plats and profiles with the Secretary of the State Board of Agriculture promptly on the completion of each survey.

§ 3. Surveys of wet or swamp lands may be had under this act whenever the board of county commissioners or board of supervisors in counties under township organization shall file with the Secretary of the State Board of Agriculture a written application for survey and proving up of the swamp or overflowed lands in such county, said application to set forth that the purpose of having such survey made is to determine the location of such swamp and overflowed lands, furnish the proofs necessary to enable the State to obtain settlement therefor with the United States, to the end that the proceeds obtained therefrom and due the State of Illinois, be applied as contemplated by the original and subsequent acts of Congress relating thereto, viz: the construction of the necessary levees and drains to reclaim said swamp and overflowed lands.

§ 4. Upon the receipt of the application specified in the foregoing section, by the Secretary of said State Board of Agriculture, it shall be his duty to direct said surveyor to proceed to make such survey under the rules prescribed by said State Board of Agriculture as may be necessary to prove up and reclaim such lands.

§ 5. The report of surveys of sections containing large bodies of contiguous wet, swampy and overflowed lands, necessitating in their reclamation for the purposes of cultivation, the formation of drainage districts as provided for in the laws relating to the drainage districts, shall include plats of such lands, showing the drains or ditches necessary to reclaim the same, the length of each drain or ditch, the width, the fall per rod, the character of outlet and the probable cost per acre to reclaim such lands, as well as the benefits to the wet, swamp and adjacent lands when drained, and such other facts as may be required by the State Board of Agriculture. He shall make such report,

10 plats, diagrams, etc., in duplicate, one copy to be filed with the county clerk
 11 of the county in which such lands or any part thereof is located, and one
 12 copy with the Secretary of the State Board of Agriculture.

§ 6. Said surveyor shall be entitled to two assistants, one of whom
 2 shall be selected by himself upon the recommendation of the State Board
 3 of Agriculture, who shall be an expert in matters pertaining to drainage
 4 of swamp or overflowed lands, the other shall be the county surveyor of
 5 the county in which such survey is to be made. Said surveyor may em-
 6 ploy necessary chaincarriers, axmen or other helpers as required.

§ 7. The surveyor and the assistants and helpers provided for in the
 2 preceding section shall be entitled to received such a reasonable per diem
 3 while actually engaged in making surveys as the State Board of Agricul-
 4 ture may determine, as well as their necessary traveling expenses in going
 5 to the place where such surveys are to be made, which said sums are to
 6 be paid on itemized vouchers approved by the Governor, out of the pro-
 7 ceeds of script or moneys received from the United States on account of
 8 said swamp and overflowed lands.

§ 8. The Governor of Illinois, on the receipt from the United States
 2 of funds due the State on account of swamp and overflowed lands, shall
 3 deposit the same with the State Treasurer to the credit of the county in
 4 which the lands represented by said funds are located, and the Auditor of
 5 Public Accounts immediately after the receipt of the funds from the United
 6 States shall draw warrants against such county fund, to cover the ex-
 7 penditures in and for the benefit of the respective counties as provided for
 8 in section 7 of this act, and send warrant on the State Treasurer for the
 9 remaining balance to the treasurer of the county credited with the same,
 10 said balance to be applied by the county authorities only for the con-
 11 struction of levees and drains necessary to reclaim wet, swamp and over-
 12 flowed lands.

§ 9. The Secretary of State shall furnish the State Board of Agricul-
 2 ture the necessary blank books, blanks, stationery and supplies required in

3 carrying out the provisions of this act, and the Commissioners of State
 4 Contracts shall have such a number of the reports of the survey provided
 5 for in this act, printed and bound in third-class binding, as may be
 6 deemed advisable by the State Board of Agriculture, to obtain the greatest
 7 benefits to the people of the State from said survey.

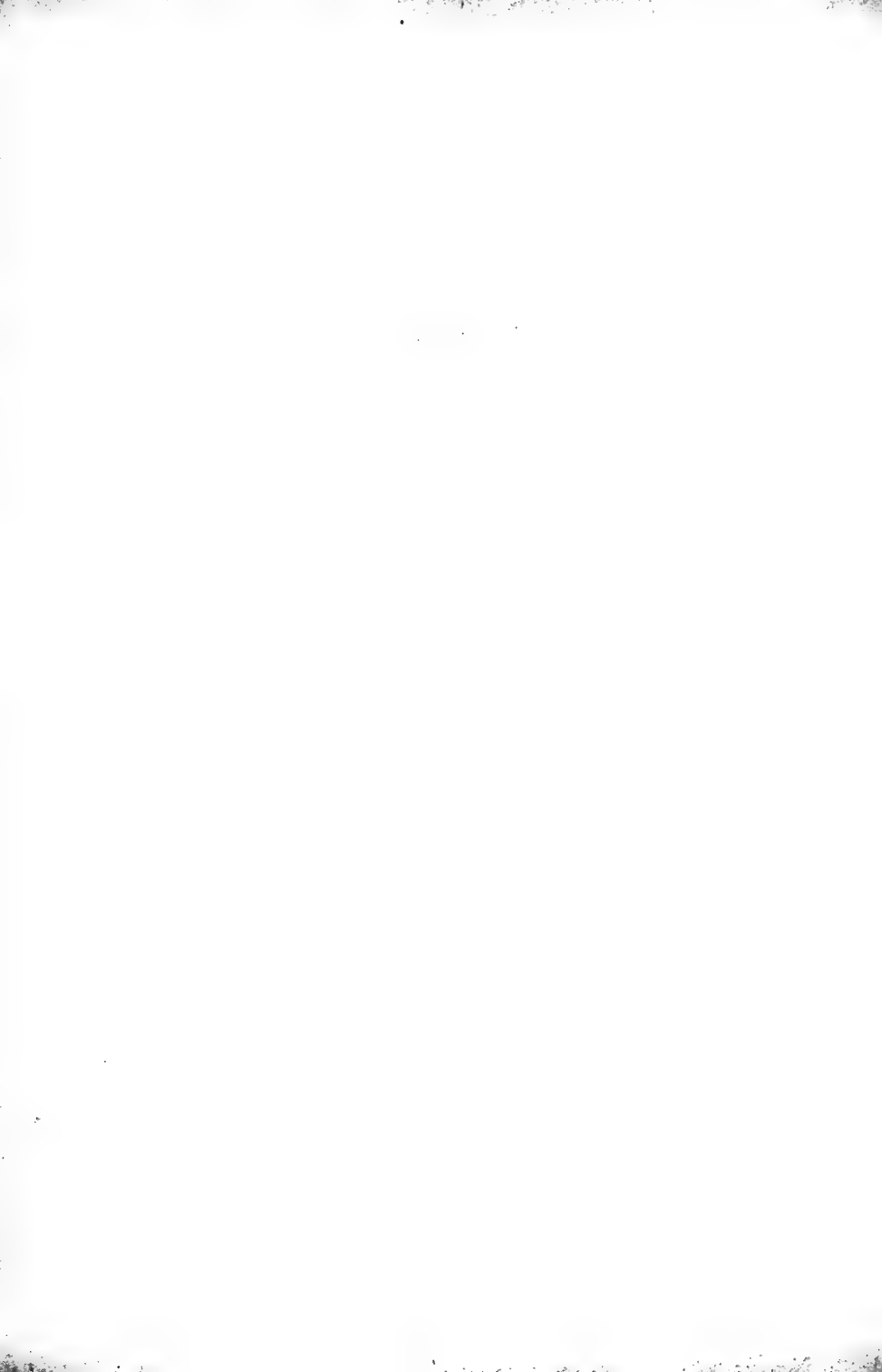
§ 10. All acts or parts of acts inconsistent with this act are hereby re-
 2 pealed.

1. Introduced by Mr. Darnell May 13, 1887, and ordered to first reading.
 2. First reading May 13, 1887, and ordered to second reading without reference.
-

A BILL

For an act to repeal the following acts, to wit: An act entitled "An Act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885; and an act entitled "An Act to amend an act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved April 20, 1887, in force April 20, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois represented*
2 *in the General Assembly,* That an act entitled "An act to repeal an
3 act to revise the law in relation to the suppression and prevention of the
4 spread of contagious and infectious diseases among domestic animals,"
5 approved June 27, 1885; and an act entitled "An Act to amend an act to
6 revise the law in relation to the suppression and prevention of the spread
7 of contagious and infectious diseases among domestic animals," approved
8 April 20, 1887, in force April 20, 1887, be and the same are hereby repealed.



1. Introduced by Mr. Darnell, May 16, 1887, read first time and ordered to second reading.

A BILL

For An Act to amend section nineteen (19) of an act entitled "An act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized," approved and in force March 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That section nineteen (19) of an act entitled "An*
3 *act to provide for the incorporation of associations that may be organized*
4 *for the purpose of constructing railways, maintaining and operating the*
5 *same; for prescribing and defining the duties and limiting the powers of such*
6 *corporations when so organized," approved and in force March 1, 1872, be*
7 *amended so as to read as follows:*

8 "Section 19. Every corporation formed under this act shall, in addition
9 to the powers herein before conferred, have power:

10 *First*—To cause such examination and survey for its proposed railway to
11 be made as may be necessary to the selection of the most advantageous
12 route; and for such purpose, by its officers, agents or servants, may enter
13 upon the lands or waters of any person or corporation, but subject to re-
14 sponsibility for all damages which shall be occasioned thereby.

15 *Second*—To take and hold such voluntary grants of real estate and other
16 property as shall be made to it, in aid of the construction and use of

17 its railway, and to convey the same when no longer required for the uses of
18 such railway, not incompatible with the terms of the original grant.

19 *Third*—To purchase, hold and use all such real estate and other prop-
20 erty as may be necessary for the construction and use of its railway,
21 and the stations and other accommodations necessary to accomplish the
22 object of its incorporation, and to convey the same when no longer re-
23 quired for the use of such railway.

24 *Fourth*—To lay out its road, not exceeding one hundred feet in width,
25 and to construct the same; and for the purpose of cuttings and embank-
26 ments, to take as much more land as may be necessary for the proper
27 construction and security of the railway; and to cut down any standing
28 trees that may be in danger of falling upon or obstructing the railway,
29 making compensation therefor in manner provided by law.

30 *Fifth*—To construct its railway across, along or upon any stream of water,
31 water-course, street, highway, plank road, turnpike or canal, or upon and
32 along the right of way of any other railway, which the route of such
33 railway shall intersect or touch; but such railway shall restore the stream,
34 water-course, street, highway, plank road, turnpike and railway thus inter-
35 sected and touched, to its former state, or to such state as not unneces-
36 sarily to have impaired its usefulness, and keep such crossing in repair:
37 *Provided*, that the right to take the right of way of any other railway shall be
38 limited to such places as there are natural obstructions preventing the location
39 of a feasible and practical line outside of such right of way: *Provided*, that
40 in no case shall any railroad company construct a road-bed without first
41 constructing the necessary culverts and sluices, as the natural lay of the land
42 requires for the necessary drainage thereof. Nothing in this act con-
43 tained shall be construed to authorize the construction of any bridge, or
44 any other obstruction, across or over any stream navigated by steamboats,
45 at the place where any bridge or other obstructions may be proposed to
46 be placed, so as to prevent the navigation of such stream; nor to author-
47 ize the construction of any railroad upon or across any street in any city,

48 or incorporated town or village, without the assent of the corporation of
49 such city, town or village: *Provided*, that in case of the constructing of
50 said railway along highways, plank roads, turnpikes, canals or the right
51 of way of other railways, such railway shall either first obtain the con-
52 sent of the lawful authorities having control or jurisdiction of the same,
53 or condemn the same under the provisions of any eminent domain law
54 now or hereafter in force in this State: *Provided, further*, that nothing
55 in this clause contained shall be construed to apply to the crossing or
56 intersection of other railways provided for in the sixth clause of section
57 nineteen of this act.

58 *Sixth*—To cross, intersect, join and unite its railways with any other rail-
59 way before constructed, at any point in its route, and upon the grounds of
60 such other railway company, with the necessary turnouts, sidings and
61 switches, and other conveniences, in furtherance of the objects of its con-
62 nections; and every corporation whose railway is or shall be hereafter
63 intersected by any new railway, shall unite with the corporation owning
64 such new railway in forming such intersections and connections, and grant
65 the facilities aforesaid; and if the two corporations cannot agree upon the
66 amount of compensation to be made therefor, or the points and man-
67 ner of such crossings and connections, the same shall be ascertained and
68 determined in manner prescribed by law.

69 *Seventh*—To receive and convey persons and property on its railway by
70 the power and force of steam or animals, or by any mechanical power.

71 *Eighth*—To erect and maintain all necessary and convenient buildings
72 and stations, fixtures and machinery for the construction, accommodation
73 and use of passengers, freight and business interests, or which may be
74 necessary for the construction or operation of said railway.

75 *Ninth*—To regulate the time and manner in which passengers and prop-
76 erty shall be transported, and the compensation to be paid therefor, sub-
77 ject nevertheless, to the provisions of any law that may now or hereafter
78 be enacted.

79 *Tenth*—From time to time, to borrow such sums of money as may be
80 necessary for completing, finishing, improving or operating any such rail-
81 way, and to issue and dispose of its bonds for any amount so borrowed,
82 and to mortgage its corporate property and franchises to secure the pay-
83 ment of any debt contracted by such corporation for the purposes afore-
84 said; but the concurrence of two-thirds in amount of the stock of such
85 corporation, to be expressed in the manner and under all the conditions
86 provided in the fifteenth section of this act, shall be necessary to the
87 validity of any such mortgage; and the order or resolution for such mort-
88 gage shall be recorded as provided in the second section of this act; and
89 the directors of such corporation shall be empowered, in pursuance to any
90 such order or resolution, to confer on any holder of any bond for money
91 so borrowed, as aforesaid, the right to convert the principal due or owing
92 thereon into stock of such corporation, at any time, not exceeding ten
93 years after the date of such bond, under such regulations as may be
94 provided in the by-laws of such corporation."

(Substitute for Senate Bill No. 410.)

1. Introduced by Committee on Judicial Department May 17, 1887, and ordered to first reading.
2. First reading May 17, 1887, and ordered to second reading without reference.

A BILL

For An Act to authorize the issue of bonds to raise funds for the protection of public parks from waste by the action of water.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in all cases where a public park or a portion of one fronting on the shore of a lake lies in any town, the supervisor and assessor of which have been heretofore declared to be corporate authorities, such supervisor and assessor may from time to time authorize the bonds of said town to be issued to an amount including existing indebtedness of such town so that the aggregate indebtedness of such town shall not exceed five per centum on the value of the taxable property therein to be ascertained by the last assessment for state and county taxes previous to the issue from time to time of such bonds, such issue not to exceed in the aggregate the sum of three hundred thousand dollars; such authority shall be in writing, signed by the supervisor and assessor of said town, a copy of which shall be filed with the county clerk, and another copy shall be filed with the commissioners of such park to be by them recorded in their record of proceedings of their board.

§ 2. Such bonds shall be issued when authorized by the corporate authorities of the town as aforesaid, in the name of said town by the commissioners of said park, to be signed by the president and treasurer and

4 countersigned by their secretary with his seal of office affixed; they shall
5 bear interest at the rate of not exceeding five per centum per annum pay-
6 able semi-annually, and the principal shall be payable at such time as may
7 be determined, not exceeding twenty years.

§ 3. The commissioners of said park may sell said bonds and the pro-
2 ceeds thereof shall be used exclusively for the erection of a break-water or
3 sea-wall along the shore of said lake, for the purpose of preventing the
4 waste of land by the action of the water of said lake.

§ 4. In addition to the amount of money authorized to be raised by
2 taxation on the property of such town for the payment of any other debt
3 contracted by the park commissioners falling due during the next year and for
4 the improvement and maintenance and government of said park during the
5 next succeeding year, the supervisor of said town shall also add the amount
6 of interest payable on said bonds during the next year thereafter, and also
7 a sum sufficient to pay and discharge the principal of said bonds within
8 twenty years from the time of issuing the same.

1. Introduced by Mr. Funk, May 17, 1887, and ordered to first reading.
2. First reading May 17, 1887, and referred to Committee on Education and Educational Institutions.
3. Reported back May 26, 1887, passage recommended, and ordered to second reading.

A BILL

For An Act to confer additional power upon universities, colleges and seminaries,
incorporated under the laws of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That all universities, colleges and seminaries here-*
3 *tofore incorporated either by a special act of the General Assembly or under*
4 *the general incorporation laws of the State of Illinois, be and they are hereby*
5 *empowered and authorized to confer the same degrees, diplomas, and evidences*
6 *of scholarship upon women, that by their charters or acts of incorporation, or*
7 *general laws, they have the power and authority to confer upon men.*

§ 2. That all such universities, colleges and seminaries, shall have the power
2 and authority to confer upon all students in such institutions of learning, as
3 shall pursue to completion any special, non-resident, or post graduate course
4 of study, any certificate, diploma, or other evidence of the completion of such
5 special course of study, as such universities, colleges or seminaries shall pre-
6 scribe or adopt.



1. Introduced by Mr. Curtiss May 27, 1887, and ordered to first reading.
2. First reading May 27, 1887, and ordered to second reading without reference

A BILL

For An Act to amend section seven (7), of an act entitled, "An act to revise the law in relation to State Contracts," approved March 31, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly*, that section seven (7), of an act entitled, "An act
3 to revise the law in relation to State Contracts," approved March 31, 1874, be
4 and the same is hereby amended so as to read as follows:
5 "Section 7. If any contractor shall fail in whole or in part, to fulfill his
6 contract, the commissioners may cancel such contract, and having done so
7 shall notify him in writing specifying their reasons for so doing. And the
8 Commissioners of State Contracts are hereby given power and authority, with
9 the approval of the Governor, to suspend, declare void, or cancel any State
10 Contracts entered into by them, whenever they or a majority of them are of
11 opinion that such contract was obtained by fraud, conspiracy, or any unlawful
12 means, and whenever any contract is so held to be void, suspended or can-
13 celed, or any investigation thereof is being had by the Legislature, or either
14 House thereof, or by said Commissioners of State Contracts, then and in such
15 case, said board of commissioners is hereby given power and authority in their
16 discretion, to enter into and carry out any new contract or contracts in such
17 manner as they may deem for the best interests of the State."

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

1. Introduced by Mr. Curtiss, May 27, 1887, and ordered to first reading.
2. First reading May 27, 1887, and ordered to second reading without reference.

A BILL

For An Act to provide the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That there shall be raised by levying a tax, by
3 valuation, upon the assessed taxable property of this State, the following
4 sums for the purposes hereinafter set forth: For general State purposes,
5 to be designated "Revenue Fund," the sum of three million dollars (\$3,000,000),
6 upon the assessed value of property for the year A. D. 1887, and the sum
7 of two million five hundred thousand dollars (\$2,500,000), upon the assessed
8 value of property for the year A. D. 1888. And for State school purposes,
9 to be designated "State School Fund," the sum of one million dollars
10 (\$1,000,000) upon the assessed taxable property for the year A. D. 1887,
11 and the sum of one million dollars (\$1,000,000) upon the assessed taxable
12 property for the year A. D. 1888, in lieu of the two mill tax.

§ 2. The Governor and Auditor shall annually compute the several rates
2 per cent. required to produce not less than the above amounts; anything
3 in any other act providing a different manner of ascertaining the amount
4 of revenue required to be levied for State purposes to the contrary not-
5 withstanding; and, when so ascertained, the Auditor shall certify to the
6 county clerks the proper rates per cent. therefor, and also such definite
7 rates for other purposes as are now or may hereafter be provided by law, to be
8 levied and collected as State taxes; and all laws and parts of laws in con-
9 flict with this act are hereby repealed.

1. Introduced by Mr. Curtiss, May 27, 1887, and ordered to first reading.
2. First reading May 27, 1887, and ordered to second reading without reference.
3. June 6, 1887, second reading, amended on third reading.

A BILL

For An Act to provide the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there shall be raised by levying a tax, by valuation, upon the assessed taxable property of this State, the following sums for the purposes hereinafter set forth: For general State purposes, to be designated "Revenue Fund," the sum of two million eight hundred thousand dollars (\$2,800,000), upon the assessed value of property for the year A. D. 1887, and the sum of two million two hundred thousand dollars (\$2,200,000), upon the assessed value of property for the year A. D. 1888. And for State school purposes, to be designated "State School Fund," the sum of one million dollars (\$1,000,000) upon the assessed taxable property for the year A. D. 1887, and the sum of one million dollars (\$1,000,000) upon the assessed taxable property for the year A. D. 1888, in lieu of the two mill tax.

§ 2. The Governor and Auditor shall annually compute the several rates per cent. required to produce not less than the above amounts; anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding; and, when so ascertained, the Auditor shall certify to the county clerks the proper rates per cent. therefor, and also such definite rates for other purposes as are now or may hereafter be provided by law, to be levied and collected as State taxes; and all laws and parts of laws in conflict with this act are hereby repealed.



-
1. Introduced by Mr. Forman, May 31, 1887, and ordered to first reading.
 2. First reading May 31, 1887, and ordered to second reading without reference.

A BILL

For An Act to repeal an act to incorporate the Town of Trenton in the County
of Clinton and State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That an act entitled, "An act to incorporate the
3 Town of Trenton in the County of Clinton and State of Illinois," approved
4 February 16, 1865, be and the same is hereby repealed.



1. Introduced by Mr. Funk June 1, 1887, and ordered to first reading.
2. First reading June 1, 1887, and ordered to a second reading.

A BILL

For An Act to amend sections 2 and 5 of an act entitled "An act to amend an act entitled 'An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals', approved June 27, 1885, in force July 1, 1885, approved April 20, 1887, in force April 20, 1887."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That sections 2 and 5 of the aforesaid act be*
3 *amended so as to read as follows:*
4 "Section 2. It shall be the duty of said Board of Commissioners to cause
5 to be investigated any and all cases or alleged cases coming to their knowl-
6 edge, of contagious or infectious diseases among domestic animals, and to
7 use all proper means to prevent the spread of such disease, and to provide
8 for the extirpation thereof; and in the event of reasonable ground for belief
9 that any such contagious or infectious diseases has broken out in this State,
10 it shall be the duty of the person owning or having in charge any animal or
11 animals infected with disease, or any other person having knowledge or reason
12 to suspect the existence of such disease, to immediately notify said Board of
13 Commissioners, or some member thereof, by communication to said Board of the
14 existence of such disease, and thereupon it shall be the duty of said Board, or
15 some member thereof, or authorized agent of the Board, immediately to cause
16 proper examination thereof to be made, and if said disease shall be found to be
17 a dangerously contagious or dangerously infectious malady, said Board or any

18 member thereof, or the State Veterinarian or any assistant veterinarian, shall
19 order said diseased animals, and such as have been exposed to contagion, and the
20 premises in which they are, to be strictly quarantined for such time as the
21 Board, or any member thereof, or such Veterinarian may deem necessary, in
22 charge of such person as the Board, or any member thereof or such Veter-
23 inarian shall designate, and they shall have power to order any premises and
24 farms, where the disease exists, or has recently existed, as well as exposed
25 premises and farms, to be put in quarantine, so that no domestic animal which
26 has been, or is so diseased, or has been exposed to such contagious or infec-
27 tious disease, be removed from the places so quarantined nor allow any
28 healthy animal to be brought therein, except under such rule or regulation as
29 the said Board may prescribe; and said Board shall prescribe such regulations as
30 they deem necessary to prevent such disease from being communicated in any
31 way from the places quarantined. In all such cases of contagious and infectious
32 diseases, the said Board or, in case the number of animals shall not exceed
33 five, any member thereof, shall have power to order the slaughter of all such
34 diseased and exposed animals. The said Board shall have power to cause to be
35 destroyed all barns, stables, premises, fixtures, furniture and personal property
36 infected with any such contagious or infectious disease, so far as in their judg-
37 ment may be necessary to prevent the spread of such disease, and where the
38 same cannot be properly disinfected. When the Board, upon the written report
39 of the State Veterinarian, or any of his assistants, determine that any animal is
40 affected with, or has been exposed to, any dangerously contagious or infectious
41 disease, the Board, or any member thereof, may agree with the owner upon the
42 value of such animal or property, and in case such agreement cannot be made,
43 said Board, or the member acting in behalf of the Board, may appoint three
44 disinterested citizens of the State to appraise such diseased animal or exposed ani-
45 mals or property. Such appraisers shall subscribe to an oath in writing to fairly
46 value such animal in accordance with the requirements of this act; which oath,
47 together with the valuation fixed by said appraisers, shall be filed with the Board,
48 and be preserved by them. Upon such appraisalment being made, it shall become

49 the duty of the owner to immediately destroy such animal and dispose of the
50 same in accordance with the order of said Board, or member thereof, and upon
51 failure to so do, said Board, or member thereof, shall cause such animal or animals
52 or property to be destroyed and disposed of, and thereupon the said owner shall
53 forfeit all right to receive the compensation allowed by said appraisers and pro-
54 vided for by this act. When the Board, upon the written opinion of the State
55 Veterinarian, determines that any barns, stables, out-buildings or premises are so
56 infected that the same can not be disinfected, they may quarantine such
57 barns, stables, out-buildings or premises from use for the animals that may be
58 infected by such use, and such quarantine shall continue until removed by the
59 Board, and a violation of such quarantine shall be punished as is provided for
60 violations of other quarantine by this act.

61 "Section 5. Whenever said board shall become satisfied that any dan-
62 gerously contagious or infectious disease among domestic animals exists
63 throughout any municipality or geographical district within this State, and
64 in their judgment, it is necessary to quarantine such municipality or
65 geographical district in order to prevent the spread of such disease into
66 contiguous territory, they shall report the same to the Governor, who
67 may thereupon by proclamation schedule and quarantine such dis-
68 trict, prohibiting all domestic animals of the kind diseased within such
69 district from being moved from one premises to another or over any public
70 highway or any unfenced lot or piece of ground, or from being brought
71 into, or taken from such infected district, except upon obtaining a special
72 permit, signed by the Board of Live Stock Commissioners, or member
73 thereof, or agent or officer of the Board duly authorized by it to issue
74 such permits; and such proclamation shall from the time of its publication
75 bind all persons. After the publication of the aforesaid proclamation, it
76 shall be the duty of every person who owns, or is in charge of animals
77 of the kind diseased within the scheduled district to report to said Board
78 within one week the number and description of such animals, location, and
79 the name and address of the owner, and during the continuance of such

80 quarantine to report to said Board all cases of sickness, deaths or births
81 among such animals. It shall also be the duty of any and all persons
82 within the scheduled district receiving, and purchasing cattle for slaughter,
83 to delay the killing of such animals until a veterinary surgeon with au-
4 thority from said Board is present to make a post-mortem examination of
85 the carcasses. Any violation of the aforesaid quarantine regulations and
86 duties shall be visited with like penalties, which may be recovered in like
87 manner, as is provided for the violation of other quarantine as provided
88 in section 4 of this act: *Provided*, that nothing contained in this section
89 shall be so construed as to prevent the movement of any animals of the
90 kind diseased through such territory under such regulations as the Board
91 of Live Stock Commissioners may prescribe, and the Governor approve:
92 *And, provided, further*, that all cattle within the scheduled district slaughtered
93 by order of the Board shall not be taken from said district for slaughter."

1. Introduced by Mr. Johnson June 3, 1887, and ordered to first reading.
2. First reading June 3, 1887, and ordered to second reading without reference.

A BILL

For An Act relative to cemetery association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That any cemetery association heretofore organ-*
3 *ized, or existing, under any private or special act of the General Assembly*
4 *of this State, be and the same is hereby authorized and empowered to*
5 *convey and transfer, by proper instrument, all its land, lots, property and*
6 *franchises, of every kind and nature, held by it, and used for burial pur-*
7 *poses, or in proper connection with such purposes, to such corporation*
8 *organized for similar purposes, under the general statutes of this State, as*
9 *may be chosen and designated in the manner hereinafter provided.*

§ 2. At a lawful meeting of any cemetery association organized, or
2 existing, under any private or special act as aforesaid, the said association,
3 may, by vote, to be entered upon their records, name a corporation, or-
4 ganized and existing under the general incorporation laws of this State, to
5 be its successor and to take, receive and control all its lands, lots, prop-
6 erty and franchises aforesaid, and may at such meeting, or any other law-
7 ful meeting, authorize and empower its proper officers to convey and transfer
8 the same to such successor.

§ 3. Such successor, upon receiving conveyance and transfer of property
2 and franchises as aforesaid, shall thereupon take and thereafter hold the
3 same for burial purposes, and may sue and recover for trespasses and

4 injuries to the same; and may make and collect, by suit if necessary,
5 reasonable assessments, of proportional uniformity, on lot owners to enable
6 them to maintain, preserve and keep such property and franchises in suit-
7 able condition for the purposes aforesaid.

§ 4. Such successor may receive and hold donations of land, or may
2 purchase additional land, and lay out the same in burial lots and sell such
3 lots for the purposes aforesaid; but shall not receive, buy and hold land
4 in greater quantity than may be needed for burial purposes. And lot
5 owners shall not be assessed for the purchase of additional lands, except
6 when the same may be necessary to provide streets and drive-ways in, or
7 around or approaches to such burial grounds.

§ 5. It appearing to be essential for the better management of ceme-
2 teries now under control of associations organized under private acts that
3 their property be transferred to corporations organized under the general
4 laws of this State, therefore an emergency is declared to exist, and this act
5 shall take effect and be in force from and after its passage.

1. Received from House April 29, 1887, and ordered to first reading.
2. First reading May 10, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend section sixty-five of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That section sixty-five of an act entitled "An act in*
3 *regard to judgments and decrees, and the manner of enforcing the same by*
4 *execution, and to provide for the redemption of real estate sold under*
5 *execution or decree," approved March 22, 1872, in force July 1, 1872, be and*
6 *the same is hereby amended so as to read as follows:*

7 "Section 65. When a debtor shall be arrested by virtue of an execution
8 against his body, he shall be conveyed to the county jail of the county of the
9 officer who made the arrest, and kept in safe custody until he shall satisfy
10 the execution or be discharged according to law. Immediately upon the arrest
11 of the defendant the officer making the same shall give notice thereof to the
12 plaintiff, his agent or attorney, if in the county: *Provided*, that no person
13 heretofore or hereafter imprisoned under the provisions of this act, shall be
14 imprisoned for a longer period than six months from the date of arrest. And all
15 persons imprisoned under the provisions of this act for the period of one or
16 more years at the time this act takes effect shall thereupon be immediately

17 discharged: *Provided, however,* that no person shall be released from imprison-
18 ment under this act who has neglected or refused to schedule in manner and
19 form as provided by "An act concerning insolvent debtors," approved April
20 10, 1872, in force July 1, 1872.

1. Introduced by Mr. Darnell, June 8, 1887, and ordered to first reading.
2. First reading June 8, 1887, and ordered to second reading without reference.

A BILL

For An Act to amend sections 86, 87, 97, 97a, 102, 105, 106, 107, 117 and 121, of an act entitled "An act for the assessment of property and for the levy and collection of taxes, approved March 30, 1872, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly, That sections 86, 87, 97, 97a, 102, 105, 106, 117*
3 *and 121, of an act entitled "An act for the assessment of property and*
4 *for the levy and collection of taxes, approved March 30, 1872, and in force*
5 *July 1, 1872, to be amended as follows:*

6 "Section 86. In counties under township organization the assessor, clerk
7 and supervisor of the town shall constitute a board of review for such
8 town and shall meet on the fourth Monday of June for the purpose of
9 reviewing and correcting the assessment of the property in such town.
10 And it shall be the duty of said board to place upon the assessment book,
11 by its proper description or designation, any property that may have been
12 omitted therefrom, and to raise or lower the value returned by the asses-
13 sor of any property by him assessed at a value greater or less than its
14 fair cash value, and to make all corrections or alterations requisite to
15 secure the assessment of all the property in such town at its fair cash
16 value.

17 "Section 87. The assessor shall cause at least ten days' previous
18 notice of the time and place of such meeting to be given, by posting

19 notices in at least three public places in such town. And any taxpayer
20 may, in person, or by agent or attorney, appear before said board while
21 sitting for review, and show cause, if any, why the assessment of his,
22 her or its property should or should not be corrected, and at the same
23 time may indicate any errors or omissions in the assessment, and demand
24 that the same be amended or supplied; or said taxpayer may reduce such
25 facts to writing and file same in apt time with the clerk of such town.

26 "Section 97. The county board shall meet on the second Monday in
27 July, annually, and sit as a board of review for the purpose of correct-
28 ing the assessment books, and it shall be the duty of said board of
29 review—

30 *First*—To assess all lands, lots, or other property that have been listed
31 by the clerk and not assessed by the assessor, and by proper description or
32 designation, add any omitted property and make such alterations in descrip-
33 tion of property or ownership as may be deemed necessary to secure a just
34 and full assessment of the property of the county.

35 *Second*—To raise or lower the value returned by the assessors of any prop-
36 erty in the county if the value so returned be not a fair cash value, and
37 make such alterations and corrections as may be required to secure the
38 assessment of all of the property listed in the county at its fair cash value:

39 *Provided*, any taxpayer may, in person, or by agent or attorney, appear
40 before said board when sitting for review, and show cause, if any, why
41 the assessment of his, her or its property should or should not be cor-
42 rected, and may call the attention of said board to any errors or omissions
43 in the assessment, and ask that the same be amended or supplied; or said
44 taxpayer may reduce such facts to writing and file same in apt time with
45 the clerk of the county, who shall lay said statements before said board of
46 review.

47 *Third*—To hear and determine the application of any person who is assessed
48 on property claimed to be exempt from taxation. If the board shall decide
49 that any such property is not liable to taxation, and the question as to the
50 liability of such property to taxation has not been previously determined, as

51 hereinafter provided, the decision of such board shall not be final, unless
 52 approved by the Auditor of Public Accounts; and it shall be the duty of the
 53 county clerk, in all such cases, to make out and forward to the Auditor a
 54 full and complete statement of all the facts in the case. If the Auditor is
 55 satisfied that such property is not legally liable to taxation, he shall notify
 56 the clerk of his approval of the decision of the board, and the said clerk
 57 shall correct the assessment accordingly. But if the Auditor is satisfied that
 58 such property is liable to taxation, he shall advise the clerk of his objection
 59 to the decision of the board, and give notice to said clerk that he will apply
 60 to the Supreme Court in either division, specifying at what term thereof, for
 61 an order to set aside and reverse the decision of the county board. Upon
 62 the receipt of such notice, the clerk shall notify the person making the
 63 application aforesaid. It shall be the duty of the Auditor to file in the
 64 Supreme Court a certified statement of the facts certified by the clerk, as
 65 aforesaid, together with his objections thereto, and the court shall hear and
 66 determine the matter as the right of the case may be. If the board shall
 67 decide that the property so claimed to be exempt is liable to be taxed, and
 68 the party aggrieved shall at the time pray an appeal, a brief statement in the
 69 case shall be made by the clerk, and transmitted to the Auditor, who shall
 70 present the same to the Supreme Court as hereinbefore provided. In either
 71 case, the collection of the tax shall not be delayed thereby; but in case the
 72 property is decided to be exempt, the tax shall be abated or refunded.

73 "Section 97a. If for any cause the county board are unable or fail to
 74 complete the review and correction of the assessments at the meeting held
 75 on the second Monday in July, said board may adjourn its meetings from
 76 time to time and the action had thereon at any subsequent meeting thereof
 77 shall be legal and valid and the taxes extended thereon shall be and remain
 78 a lien upon the property against which they are extended as effectually as
 79 if said action had been taken on the second Monday in July.

80 "Section 102. Each member of said board, before entering upon the duties
 81 of his office, shall take the oath or affirmation prescribed by the constitution

92 of this State. A majority of said board shall constitute a quorum to do bus-
93 iness and a record of its proceedings shall be kept at the capitol, open to the
94 inspection of the public.

95 "Section 105. Said board shall assemble at the State Capitol on the second
96 Tuesday in the month of August, annually, and examine the abstracts of
97 property assessed for taxation in the several counties in this State, as re-
98 turned to the Auditor.

99 "Section 106. The duties of the State Board of Equalization shall be:

100 *First*—To prescribe all forms of books and blanks used in the assessment
101 and collection of taxes, and to change such forms where prescribed by
102 law, in case any such change shall appear necessary.

103 *Second*—To construe the revenue laws for revenue officers, and instruct
104 them in relation to their duties with reference to taxation and statistics.

105 *Third*—To see that all assessments of property in this State are made
106 according to law; and if said board shall find that the property of any
107 county is undervalued, they shall raise the assessment of the same to its
108 full cash value.

109 *Fourth*—To see that all the taxable shares of stock of all corporations
110 in this State are assessed and taxed as provided by law, and that no
111 unauthorized deductions are made from the value of the same.

112 *Fifth*—To see that all taxes due to the State are collected.

Sixth—To enforce penalties and fines prescribed by the Revenue law for
disobedience of its provisions.

Seventh—To estimate, whenever necessary, the amount required to be
levied upon property in the several counties to cover any deficiency in the
State Revenue not otherwise provided for.

Eighth—To see that said amount is duly certified to the counties.

Ninth—To examine all books made subject to inspection under this act,
and to require their production when necessary.

Tenth—To see that each county in the State be visited by at least one
member of the Board as often as once a year, to the end that complaints

113 concerning the law may be heard, and that information as to its working
114 may be collected; and that all revenue officers may be instructed in and
115 compelled to comply with the law in all particulars; and that all viola-
116 tions of the law may be punished, and the proper suggestions as to amend-
117 ments and changes may be made.

118 *Eleventh*—To make such rules and regulations as they may deem necessary
119 to secure a compliance with this act by all persons or corporations paying
120 any license fees or taxes for State purposes.

121 *Twelfth*—To make all rules and regulations they may deem proper, not
122 inconsistent with law, with respect to their own meetings and proceedings.

123 *Thirteenth*—To report to the General Assembly at each session the amount
124 of revenue collected, the sources thereof, the amount lost and the causes
125 therefor, and their proceeding, and such other matters regarding the public
126 revenue as they may deem of public interest.

127 *Fourteenth*—To recommend to the General Assembly at each session thereof,
128 such amendments to the revenue law as may seem proper to remedy injustice
129 or irregularity in taxation, or to facilitate the assessment and collection of the
130 public revenues.

131 "Section 107. Said board shall determine whether the property in the
132 several counties in the State has been assessed at its fair cash value, and
133 in case said board shall determine that any species of taxable property in any
134 county has not been assessed at its fair cash value, it shall certify such find-
135 ing to the county clerk of such county, with directions to correct such
136 assessments.

LIMITATIONS.

137 "Section 117. Taxation in this State for the various purposes hereinafter
138 named, except for bonded indebtedness and interest thereon, shall not exceed,
139 upon every hundred dollars of valuation, of all property subject thereto as
140 ascertained by the last assessment as equalized for State and county taxes of
141 the preceding year—

142 For all county purposes, exclusive of road and bridge purposes, to be
143 imposed by the county board, twenty-five cents.

144 For all city, incorporated town and village purposes, except school pur-
145 poses, to be imposed by the proper corporate authorities, fifty cents.

146 For township purposes (except for debts incurred prior to the adoption of
147 this law, and for interest on the same), such rate as may be determined by
148 the vote of electors at the annual town meeting, not exceeding ten cents.

149 For educational purposes, to be imposed by the proper authorities,
150 seventy-five cents.

151 For school building purposes, to be imposed when authorized by law,
152 by the proper school authorities, seventy-five cents.

153 For roads and bridges, in counties not under township organization, to
154 be imposed by the proper authorities, fifteen cents.

155 For all park purposes, one-third of the several rates now allowed to
156 be levied by the proper authorities, under all the restrictions now provided
157 by law.

158 For all other purposes, one-third of the several rates now allowed to
159 be imposed under all the several restrictions provided for by law, to be
160 levied by the the proper authorities; and when any incorporated city,
161 town or village includes an entire township, the township authorities shall
162 not levy any tax for road and bridge purposes: *Provided*, that for the
163 years 1887 and 1888 taxes may be levied for the several purposes allowed
164 by law, equal in amount to those levied for like purposes in the years
165 1885 and 1886.

166 Any county, city, town, school district, or other municipal corporation
167 having power to levy taxes may submit to the voters thereof, at a general
168 or special election, a proposition to increase the tax levy for the current year,
169 not exceeding however fifty per cent. of the respective rates provided by this act,
170 stating in the election notice all the purposes for which the increase is
171 needed; and if a majority of the legal votes cast at said election be for the
172 proposition, it shall be lawful to levy the tax so authorized, for that year

173 only. No county, city, township, school district, or other municipal corpora-
174 tion, shall be allowed to become indebted in any manner or for any purpose
175 to an amount, including existing indebtedness, in the aggregate exceeding
176 two per centum, on the value of the taxable property therein, to be ascer-
177 tained by the last assessment for State and county taxes previous to the
178 incurring of such indebtedness.

FOR COUNTY PURPOSES.

179 "Section 121. [COUNTY BOARD TO DETERMINE.] The county board of the
180 respective counties shall, annually, at the September session, determine the
181 amounts of all taxes to be raised for county purposes, the aggregate amount
182 of which shall not exceed the rate of twenty-five cents on the one hundred
183 dollars' valuation of property, except for payment of indebtedness existing at
184 the adoption of the present State Constitution, unless authorized by a vote
185 of the people of the county. When for several purposes, the amount for
186 each purpose shall be stated separately.

Joint Resolution.

Resolved by the Senate, the House of Representatives concurring by a two-thirds vote, That the following proposed amendment to section 7, article 10, of the Constitution, be submitted to the electors of the State, for adoption or rejection, in the manner prescribed by law, at the next election for members of the General Assembly; that is to say, that section seven (7), of article ten (10), of the Constitution be so amended that the same will, when amended, read as follows:

“Section 7. The county affairs of Cook county may be managed by a board of commissioners, and such other officers as may be prescribed by law. Said county board may consist of a president and fourteen commissioners, who shall each be elected in such manner and vested with such powers and subject to such regulations as may be prescribed by law, either general or special, applicable to said Cook county: *Provided, that* the General Assembly shall have power to provide for the consolidation, reorganization and readjustment of any and all municipal corporations within and including the county of Cook, and to provide for the government thereof; but no such consolidation, reorganization or readjustment shall take effect until the same is approved by a vote of the electors to be affected thereby, in such manner as the General Assembly shall provide.

1. Presented by Mr. Cochran, February 16, 1887, under rule 40.
2. Five hundred copies ordered printed, February 21, 1887.

WHEREAS, at an election held on the second day of November, A. D. 1886,
 2 submitting to the electors of the State a proposed amendment to the Con-
 3 stitution of this State, making it unlawful for the commissioners of any
 4 penitentiary or other reformatory institution in the State of Illinois to let by
 5 contract to any person or persons or corporation the labor of any convict
 6 confined within any of said institutions, ninety-eight thousand one hundred
 7 and eighty-eight of the electors voting at said election failed to vote upon
 8 said question; and

9 WHEREAS, it is claimed that want of publicity and a misconception of the
 10 proposed amendment, so submitted, prevented a full and fair expression upon
 11 the question by the people of the State; and

12 WHEREAS, the abandonment of the contract system, if the convicts are to
 13 be kept employed, will likely result in the adoption of what is known as the
 14 "Public-account System," thereby compelling the State to engage in exten-
 15 sive wholesale manufacturing and merchandising on a regular and systematised
 16 basis, the employment of expensive machinery, a large number of extra help
 17 as managers, foremen, and instructors, and agents to purchase stock and raw
 18 material and dispose of products, involving the drawing of millions of dollars
 19 from the tax-payers of this State; and

20 WHEREAS, it is claimed that the State has no right to tax the people to
 21 establish and carry on large manufacturing industries to compete with and
 22 to the detriment of tax-payers engaged in the same business on their own
 23 private account, and further that the labor thus employed will interfere with
 24 free labor to as great, if not greater, extent than that under the contract
 25 system; and

26 WHEREAS, under the public-account system, which prevailed in this State
 27 from 1867 to 1871, the State lost money heavily and the General Assembly
 28 was compelled to make large appropriations for the support of the State,
 29 and, admonished by so costly experience, returned, in 1871, to the contract
 30 system, which, it is claimed, has been eminently successful and satisfactory
 31 to the people of the State, and of physical and moral advantage to the
 32 convicts; and

33 WHEREAS, great risks and abuses are likely to grow out of a general
 34 manufacturing and merchandising business, if conducted at the State's
 35 expense; and

36 WHEREAS, it has become an important and pressing question whether the
 37 tax-payers of the State can or ought to support twenty-six hundred convicts
 38 in our penitentiaries and other reformatory institutions, while these criminals
 39 can support themselves and pay for all the expenditures incurred on their
 40 account, and become, under a proper system of labor, more industrious,
 41 more independent, more self-reliant and better in health, and all the better
 42 prepared for their freedom, and that this whole question may receive most
 43 serious consideration before any particular system is fully adopted. There-
 44 fore, be it

45 *Resolved by the Senate, the House of Representatives concurring herein,*
 46 That there be submitted to the people of this State, for ratification or
 47 rejection, at the next election of members of the General Assembly, the
 48 following additional amendment to the Constitution:

49 "*Resolved*, That hereafter it shall be the duty of the prison authorities
 50 of this State to employ convicts in the prisons by contract or otherwise
 51 as may be deemed best for the interest of the public and the said
 52 convicts."

53 And that in conformity with section 2 of article 14 of the Constitution,
 54 the same be published for three months at least previous to the time of such
 55 election.

Senate Joint Resolution---No. 32.

1. Presented by Committee on Judiciary, March 9, 1887, with recommendation that it be passed.
2. Ordered that it be printed and made a special order for March 16, at 10:30 o'clock A. M.

Resolved by the Senate, the House of Representatives concurring by a two-thirds vote: That the following proposed amendment to section 7, article 10 of the Constitution, be submitted to the electors of the State, for adoption or rejection, in the manner prescribed by law, at the next election for members of the General Assembly; that is to say, that section seven (7) of article ten (10) of the Constitution be so amended that the same will, when amended, read as follows:

"Section 7. The county affairs of Cook county may be managed by a board of commissioners, and such other officers as may be prescribed by law; said county board may consist of a president and sixteen commissioners, eleven of whom shall be elected from the city of Chicago and five from the towns outside the city of Chicago, who shall each be elected in such manner and vested with such powers and subject to such regulations as may be prescribed by law, either general or special, applicable to Cook county, subject, however, to the present constitutional limitations concerning taxation and the power of municipal corporations to create indebtedness: *Provided*, that the General Assembly shall have power to provide for the consolidation, reorganization and readjustment of any and all municipal corporations within and including the county of Cook, and to provide for the government thereof, but no such consolidation, reorganization, or readjustment shall take effect until the same is approved by a vote of the electors in each of the municipal corporations to be effected thereby in such manner as the General Assembly shall provide."

